H. Ireland. Commons, House of.

MINUTES of EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

ROSCOMMON ELECTION.

CASE I.

1777

CASE I

POSSESSION EFFECTION

ON THE

SPECIFIC MILLEE

BRITISH MUSEUM

WITH BEFORE THE

WINNLESS EVIDENCE

THE CASE OF THE County of Roſcommon.

THE committee for trying this caſe was choſen on Monday the 10th of November, 1777, and conſiſted of the following Gentlemen;

Sir Henry Cavendiſh, Chairman.
Iſaac Corry, Eſquire.
William Chapman, Eſquire.
Honourable Robert Southwell.
Thomas Knox the Elder, Eſquire.
George Hamilton, Eſquire.
Honourable Hayes St. Leger.
Thomas Knox the Younger, Eſquire.
Honourable Henry Skeffington.
John Stewart Hamilton, Eſquire.
James Alexander, Eſquire.
Alexander Montgomery of Monaghan.
Sir Fitzgerald Aylmer.

Nominee for the Petitioner, Charles O'Hara, Eſq; } Arthur French, Eſq;

Nominee for the ſitting Member, Thomas Burgh, Eſq; } Edward Croſton, Eſq;

Petitioner—Arthur French of French-park, Esq;
Counsel for the sitting member—Thomas Kelly, and Robert Boyd, Esqrs.
Counsel for the petitioner—John Fitzgibbon, Robert French and Dalton Mc. Carthy, Esqrs.
The grounds of the petition were entertainment want of qualification.

The first witness produced on behalf of the petitioner was James Flanagan, he appeared to be entered No. 105, on the sheriff's book, (his abode Castlerea, his freehold Carrowdouane, of the value of forty shillings, and voted singly for Mr. Crofton.) He was examined by Mr. French, and lived in the month of May 1770, at Castlerea; he saw Mr. Crofton last May, in Castlerea, and had some conversation with him, when Mr. Crofton asked the witness for his vote at the then next election, it was not convenient for the witness to vote for Mr. Crofton, as he did not serve him at former elections: on the former election Mr. Crofton had promised the witness to have him made a guager, the witness did not promise him his vote at first, but afterwards he promised to vote for him, Mr. Crofton, on his promising to put the witness into the Revenue. The witness had a freehold in Roscommon, he voted at the election in June 1776, for Mr. Crofton, and polled single, he met Mr. Crofton during the election before he polled.

Here

Here a queſtion aroſe concerning the propriety of going into the evidence of bribery, as it was not an allegation of the petitioner, and the room being cleared the following motions were made, and the queſtion put. Reſolved that the allegations of the petitioner do extend to bribery againſt the ſitting member or his agents. It paſſed in the negative; that the Counſel be permitted to produce evidence to prove bribery againſt the ſitting member or his agents—paſſed in the negative, and the doors being opened the Chairman informed the Counſel for the petitioner of the reſolution of the Committee. J. Flanagan was again put on his evidence, he met Mr. Crofton in Roſcommon, they went to Mr. Edmond Giraughty's, Mr. Crofton brought him there, Giraughty lived below the Jail in the Town of Roſcommon, he was an Inn-keeper, Mr. Crofton employed him as agent, he did not know about what. The witneſs lived during the election at Giraughty's, the witneſs ſaw at Edmond Giraughty's ſome perſons among whom were, Thomas Corry, James Simpſon, Michael Simpſon, Morgan Corry, and many others whom he knew not, they were at Giraughty's and frequented Giraughty's houſe, he ſaw Thomas Corry active at the election, and ſeveral Freeholders with him, he did not know who paid his, the witneſs's, expences at the election, Mr. Crofton's agent paid the bills; Barnwell and

Siggin

Siggin were agents for Mr. Crofton, Siggin appeared to act as agent for Mr. Crofton in ſoliciting votes, he did not know whether Siggin applied for votes for Mr. Crofton, Siggin eat at Giraughty's houſe, and what was eat was put in a bill, the witneſs went to Moate-houſe, the houſe of Mr. Crofton during the election, and one Mahon was with him, there were great numbers eating and drinking, and the witneſs knew ſome perſons there, among whom were one Dawſon, Michael Simpſon and one White; they were Freeholders, and voted for Mr. Crofton, they were not entertained at Mr. Crofton's table, but in the kitchen, and ſome of them were ſober and ſome drunk: None of the family was at home, the witneſs went through a good part of the houſe of Moate, and it was taken up by the ſervants, the family and the gueſts, but he did not go by invitation. The houſe was open to every body, the gueſts were of the lower claſs of people, Giraughty entertained the witneſs and the Freeholders (that voted for Mr. Crofton) for nothing. Mr. Crofton deſired the witneſs to go to Giraughty's. The witneſs ſaw Mr. James Mc. Donogh who is a gentleman at Mr. Crofton's. Mr. Mc. Donogh ſat and received the gentlemen who went to Moate, and acted as a perſon acquainted in the houſe.

This witneſs was croſs examined by Mr. Boyd, he was employed by Mr. Crofton as agent, and did

did not know about what, he did not refuſe to be his agent, he bought a horſe ſince the election, he did not know whether Sir M. Crofton is alive, he lived in Caſtlerea at the time of the election, he believed Sir M. Crofton was alive at the election; he did not know whether Sir M. Crofton went to Moate as a viſitant, but moſt of the people who were at Giraughty's were Caſtlerea people, he knew Giraughty very well, the perſons he ſaw at Giraughty's did not pay, and Giraughty might have truſted them for any thing the witneſs knew; the witneſs ſaw voters of Mr. Mahon's at Giraughty's, and never ſaw Mr. Crofton pay money at Giraughty's, the witneſs was indicted for a forcible poſſeſſion at Caſtlerea, the witneſs did apply to Mr. Crofton who was on the Grand Jury, but he never told any one that Mr. Crofton could throw out the bills; Mr. Crofton told him the witneſs, that Doctor Connor was picking out bad voters for Mr. French, the witneſs quitted living in Caſtlerea, ſhortly after the aſſizes, and he would not have voted for Mr. Crofton but for the expectation of the place, which he was promiſed to have ſoon after the election; the witneſs was not objected to at the election. He had been at Moate before the election, but never ſaw or knew of perſons of the ſame rank entertained at Moate as at the election. The witneſs went to Moate after the election,

and

and was not entertained. At the former election he did not know where the house of Moate was. The witness never swore that he had not any evidence against Mr. Crofton, but was offered money by Corry not to give evidence against Mr. Crofton. Thomas Corry told his brother-in-law if the witness made an affidavit not to give evidence against Mr. Crofton, that he would give him forty pounds. The witness swore he would give no evidence against Mr. Crofton unless he was brought up for the purpose.

The second witness produced on, was Edward Mahon, he appeared to be entered at No. 234, on the poll book, (his abode and freehold of the value of forty shillings, he was examined by Mr. French, he polled for Mr. Crofton in Castlerea,) and Mr. Mahon was two days at Roscommon during the election, and lodged at Giraughty's as did all his towns men, he was entertained there, received meat and drink as he called for it, and paid nothing for it but six-pence one morning for his breakfast, when there was some stranger there who paid the same. The witness was not acquainted with Siggin or Barnwell; the witness drank wine most of the time he was at Roscommon, but did not pay for it; there were others who drank wine besides himself, and he saw none but Mr. Crofton's friends at Giraughty's during the election. He believed

believed them to be Mr. Crofton's friends becauſe they polled for him. The witneſs was not aſked for any ſort of payment, nor did he ſign any bill at Giraughty's. He was at Moate once with Flanagan during the election, every thing was in plenty at Moate, and a great many people were there, he was a perfect ſtranger at Moate, he dined there with many others, who were eating and drinking. The ſervants attended them, and brought every thing they called for; he knew Giraughty, he did not know whether Giraughty acted on the poll. The witneſs polled from Mr. Sandford's eſtate. Mr. Sandford gave him no money to bear his expences, but Mr. Sandford's agent gave him half a crown in Roſcommon, but did not tell him for what purpoſe. The witneſs did not know James Mc. Donogh; ſeveral of his townſmen lived at Giraughty's. He was croſs examined, he lived under Mr. Sandford, and did not know but that Mr. Sandford paid his bill, and would have voted for Mr. Crofton and Mr. Mahon at all events as no one elſe had applied to him, he did not ſee Mr. Crofton at Moate, there were bills prefered againſt the witneſs for a forcible poſſeſſion in Caſtlerea, but he was not offended at Mr. Crofton's not having the bills againſt him thrown out, he knew J. Corry who wanted an affidavit from him, but he did not know for what purpoſe; he did ſwear not on any book; Mr. Crofton

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never offered him any bribe; the witneſs ſaw Mr. Crofton and two of the Youngs at Caſtlerea, and there told Mr. Crofton that he had a worſe opinion of him, the witneſs, than he deſerved, but never ſaid he would go to thoſe who would ſerve him, and quit Mr. Crofton: That Mr. Crofton told him he was ſworn and could do nothing on the Grand Jury againſt his oath, the witneſs got no horſe or mare from any one, but purchaſed a mare from Mr. French, of French-park, ſhe had been the property of a Mr. Cunningham, who was dead, and the witneſs gave four guineas for her, and would ſell her for the ſame, ſhe was then in better caſe than when he had bought her; he knew James Walker of Caſtlerea, who was an Apothecary, he had dealings with him to a trifling amount, he did not think that he bought arſenick or aquafortis from him, he knew not what biſmuth was, he likewiſe gave a guinea more than the value of the mare for her, he had not received money or promiſe of any kind for appearing before the Committee, but he gave a note for the money for the mare, Mr. French indorſed the note and the witneſs paid it. The witneſs paid twenty-one ſhillings for ground he holds under Mr. Sandford, and lived 17 miles from Moate; Mr. Sandford lived near him, Mr. Sandford did not order him to go to Giraughty's, he did not know of any intimacy between Mr. Sandford and Mr. Crofton.

The

The third witneſs.—The Sheriff of the county of Roſcommon, was here produced and ſworn, but not being examined by either of the parties he was diſcharged.

James Flanagan was again produced for the petitioner, to diſqualify Martin Flanagan, who appeared to be entered, No. 215, on the Sheriff's book, his abode Caſtlerea, and his freehold Caſtlerea, of the value of forty ſhillings, and had voted ſingly for Mr. Crofton. The witneſs was in Caſtlerea, in May 1776, and ſaw Mr. Crofton there, he knew Martin Flanagan who is the witneſs's father, who was a freeholder of Roſcommon, Martin Flanagan polled at the election in 1776, for Roſcommon, for Mr. Crofton, and had been applied to by Mr. Crofton for his vote, the witneſs knows this from his own knowledge: Martin Flaganan did not at firſt conſent to vote for Mr. Crofton. The witneſs was preſent at the converſation between Mr. Crofton and Martin Flanagan, when the latter refuſed his vote, becauſe, Mr. Crofton, had promiſed him a horſe on a former election, and did not perform his promiſe, but ſaid he would vote for Mr. Crofton provided he gave him a mare; and Mr. Crofton promiſed to beſtow him a mare. Here Mr. Boyd objected to this evidence as amounting to bribery.

The witneſs in continuation.——His father Martin Flanagan, rode the mare to the election,

but could not get her from Mr. Crofton's ſervant when he wanted to return, there was no objection taken to Martin Flanagan's vote, the mare was brought to the witneſs's father, by a boy he did not know. He was here croſs examined. The witneſs voted before his father, he did not know the mare to be Mr. Crofton's, he ſaw the mare with his father in Roſcommon, but never ſaw her ſince the election, his father voted out of Mr. Sandford's eſtate. Mr. Magrath was Mr. Sandford's agent, the witneſs heard that Mr. Magrath had directions to bring Mr. Sandford's tenants to poll for Mr. Mahon and Mr. Crofton, at his, Mr. Sandford's expence, he heard the boy ſay the mare came from Mr. Crofton, he believed that Mr. Crofton and Mr. Sandford eſteemed each other, and that Mr. Sandford gave Mr. Crofton his intereſt at the election. The witneſs was by when his father was helped by Mr. Crofton's ſervants off the mare, his father polled after him, and was living, but could not for illneſs attend the Committee; his father conſidered the mare as a preſent, and was much diſſatisfied when he the witneſs did not get her.

Edward Mahon produced by the Petitioner for the ſame purpoſe.—He was in Caſtlerea in May, 1776, ſaw Mr. Crofton there at that time, and was preſent at a converſation between Mr. Crofton

and

and Martin Flanagan, Flanagan's wife was preſent, as was James Flanagan; Mr. Crofton wanted Martin Flanagan's vote, but Flanagan told Mr. Crofton he diſappointed him at the laſt election, upon which Mr. Crofton told Flanagan that he would not diſappoint him in future, and Martin Flanagan at laſt promiſed to vote for Mr. Crofton, Flanagan had told Mr. Crofton that he had diſappointed him in not giving him a horſe; Mr. Crofton ſaid he ſhould have a horſe which he would never demand, Flanagan told Mr. Crofton he would never return it.

He was Croſs Examined.—Martin Flanagan polled at the laſt election, the witneſs was not preſent when Flanagan voted, but ſaw Martin Flanagan during the election in Roſcommon, at Giraughty's, which was the firſt place he ſaw him at.

Mr. Boyd objected to evidence being received to diſqualify Martin Flanagan, he not being ſummoned, and Mr. Crofton having admitted that a Martin Flanagan polled, and the Petitioner's Counſel having admitted that they made no objection to him at the time of his polling, but that they now intend to diſqualify him. The Committee reſolved that the Counſel be permitted to examine evidence, to diſqualify votes, who had not had notice ſince the poll.

James

James Flanagan was again produced.—He met Mr. Crofton in May 1776, at Castlerea, Mr. Crofton asked him for his vote at the ensuing election, but the witness did not promise until afterwards, and then promised. Mr. Crofton made a procure to preserve him a place, and he voted for Mr. Crofton, undoubtedly in consequence of that promise, and would not have voted for him but for that. He knew his father to be a freeholder of Roscommon, and knew that he was applied to by Mr. Crofton for his vote, and was present at the application, but his father did not consent at first, but did afterwards, in consequence of Mr. Crofton promising him a mare as a present, Martin Flanagan polled at the election in the presence of the witness, he saw him on the table, and was sure he saw him vote for Mr. Crofton only. Here Mr. French on behalf of the Petitioner, said he produced James Flanagan to shew that he and his father should be disqualified. The witness was here cross examined, no oath had been put to his father, and no objection was taken to his father's vote on the poll, he never spoke to Mr. Crofton, or bad him not to believe what every body said of him, the witness, nor did he say that Mr. Crofton did not use him well, he never told Mr. Crofton that he had a worse opinion of him than he deserved, nor ever said Mr. Crofton was fifty pounds out of his pocket by not throwing

ing out the bills, he met Mr. Crofton in Gaſtleren, Mr. Young and his Son were preſent at their converſation, he travelled to Dublin in a hackney carriage, which he believed was hired by Mr. French, the witneſs did not pay for the carriage himſelf, and did not know, he believed Mr. French was to pay for the carriage, he held land under Mr. Bellew in the county of Galway, he came to Mullingar in a hack, and from thence in a ſmall carriage with Mr. French, he never demanded, nor expected, nor applied, nor was promiſed any thing for his trouble, the witneſs lived in Great George's-ſtreet ſince he came to town, he had been ſummoned to appear, and received the ſummons before he ſet out from the country, it was ſerved upon him at French-park, and he would not have come up but that he was ſummoned, he was half an hour at French-park before he received it, he did not play nor bet at cards ſince he came to town, and did not know that he was to be ſummoned before he left home, Lawrence Cofter told him he was to be ſummoned, but he never received any letters acquainting him that he would be ſummoned, and never hinted to Mr. French or his agent, that it would be uſeful to Mr. French to have the witneſs ſummoned, he told the converſation between him and Mr. Crofton reſpecting the place in the Revenue, to a good many people, but did not tell that converſation

faction or promiſe until he was on the road to Dublin, he came to town at his own expence, he went ſeveral times to Mr. Crofton, who ſaid he could not get him into the Revenue, he came to Dublin before he was indicted and if Mr. Crofton had gotten him the place, would have had the indictment ignored. He would have appeared againſt Mr. Crofton if he had been brought up, and did not come through reſentment to Mr. Crofton, nor did he care whether Mr. French or Mr. Crofton ſucceeded. One Lloyd of Croghan was preſent when Mr. Crofton promiſed the witneſs the place, and he told of Mr. Crofton's promiſe before the bills of indictments were found, he told one Pomney he had heard that it was contrary to law to offer or promiſe any thing for a vote, and he made the diſcovery of the promiſe to ſeveral perſons before the Bills of Indictment were found, and he never aſked Mr. Crofton's advice in any law matter, the bribery oath was not tendered to him and he would not have taken it, had it been tendered.

The fifth witneſs.—John Lynn was produced on behalf of the petitioner, to diſqualify Michael Byrne, who it was agreed by counſel on both ſides to have polled for Mr. Crofton; he appeared to be entered No. 97, in the ſheriff's poll book, his abode Athlone, his freehold of the value of ten pounds yearly, and have voted ſingly for Mr. Crofton, ſaid he, the witneſs lived in Athlone, and knew

knew Michael Byrne, who as long as he knew him was a Roman Catholic or Papist, the witness was 49 years of age*; the witness knew Michael Byrne's wife, ever since he knew her, she had been a Roman Catholic; he had seen Michael Byrne and his wife at mass, he saw them at prayers, and he had often seen Michael Byrne's wife at mass, but had seen himself but seldom there. Byrne's wife was living at the time of the election, and he believed was then living; Byrne was born a catholic but did conform, he believed it to be true that Byrne conformed sixteen years ago, he saw Byrne's wife at mass since the election. Byrne conformed since he married, and was married thirty years, the woman is called Mrs. Byrne, and has ever been Byrne's reputed wife, and had children by him who bore his name.

The sixth witness—Thomas Fallen, was produced by the petitioner for the same purpose; He knew Michael Byrne of Athlone, the witness was a Roman catholic, and Michael Byrne was also a catholic, the witness saw him at mass within a month, and often saw him at mass in many different places, he saw him with a prayer book in his hands, and had seen him at mass in a convent.

* Both parties in the course of examining this witness agreed that the sheriff's poll should be conclusive evidence as to the polling.

The seventh witness—John Lyons was produced on behalf of the petitioner, to disqualify Daniel Boswell, he appeared to be entered on the deputy's book, No. 11, his abode Athlone, his freehold Cornisfree and Cornisheevoge, weirs in the Shannon, its value 10l. yearly, to have taken the bribery, freeholders and popery oaths, and to have voted singly for Mr. Crofton. The witness being sworn, he knew Daniel Boswell. The witness lived in Athlone, on the Westmeath side of the town. He knew the Weirs in the Shannon, and knew Cornisfree and Cornisheevoge to be in the possession of Thomas Daly twenty-five years. Cornisheevoge is broken down in the Westmeath part of the Shannon, it was Daly's in 1776. Cornisheevoge never was in possession of Daniel Boswell. The river Shannon incurs the counties of Roscommon and Westmeath, part one side of the bridge, part the other. George West owned the weirs on the Roscommon side, two of them on the river side, four on the Westmeath side. Patrick Norton had two of them on the river side, and a brother of the witness's, Daniel Lyons, had one in Roscommon. John Boswell, the brother to Daniel Boswell, had one weir in Roscommon. Bryan Norton had two in Roscommon. Daniel Lyons had another below the bridge. The witness knew Boswell had not any weir, and could not have had one without the witness's knowledge.

ledge. The weirs were ſet at ſeveral rents, from one pound to fourteen pounds. Richard Cormick had a weir in Roſcommon. The witneſs was acquainted with the weirs on the Shannon ever ſince he was ſix years of age.

He was croſs examined by the counſel for the ſitting member—He kept a ſhop and a billiard table in the houſe. The weir did belong to George Weſt, and he believe it belonged then to his heirs. Cornſheevoge belonged to Thomas Magrath. Mrs. Arthur St. George had an eſtate in the county Roſcommon, and believed ſhe had a weir in the county Roſcommon. He did not know all the freeholders. There might be two Cornisfree's and there might be two Cornisheevoge's. The witneſs never was tried in Roſcommon or Athlone. Boſwell had once lodged an information againſt the witneſs, who had horſewhipped him, Daniel Boſwell, for ſpitting in his, the witneſs's, wife's face about three years ago, the witneſs was indicted by Boſwell, but the bills were thrown out. *

Counſellor Fitzgibbon complained to the committee, that Patt. Kilmartin, a witneſs for the peti-

* It was admitted that Daniel Boſwell attended, of which a note was taken down by deſire of the petitioner's counſel, but it was afterwards thought proper to prove ſervice of notice upon him.

tioner, was forcibly taken out of the houſe of John Gorden and George Fitzgerald out of his bed and carried to a houſe in Boulton ſtreet, where he is kept under a guard——Patt. Kilmartin called, did not anſwer, admitted on Fitzgerald's aſſertion, that Kilmartin was ſummoned, Patt. Brenan called to prove the above. Patt. Brenan waiter, ſays he lives at Candy's in Caple-ſtreet. Candy keeps a tavern, Brenan is waiter to him, he ſaw Kilmartin on Wedneſday evening, at Candy's. Kilmartin ſlept with another man that night, he ſaw John Gorden, he ſaw a man of that name, Fitzgerald, he would know him if he ſaw him, ſaw Fitzgerald to day. Gorden and Fitzgerald went to Candy's, ſaw Giraughty there, drank ſome punch, grew drunk, went up ſtairs, Kilmartin in bed, there made a noiſe in the kitchen, ſaid to the witneſs don't let me go with them, for he Gorden and Candy is great rogues, Kilmartin ſaid he would not leave, Kilmartin lay there, Gorden and Fitzgerald went away immediately, ſaw Gorden yeſterday at Candy's, don't know whether Kilmartin was there yeſterday, did not ſee him yeſterday, Gorden aſked him what was that young man's name, the other ſaid Patt. and if you will go look for him, Gorden then went away he believes immediately, has not ſeen Kilmartin ſince. Croſs examined, he told Gorden by his (Kilmartin's) name was Patt. Mr. St. Leger he believes eight or nine

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in company with Gorden, ſaid Giraughty and Gorden abuſed each. Gorden ſaid Kilmartin ſhould be with him, he ſaid nothing againſt it, ſpoke Iriſh in a whiſper to witneſs to the purport aforeſaid, no other perſon heard him.

John Guſack to prove ſervice of the ſummons from the committee upon Boſwell. He ſwore he ſerved Mr. Boſwell in Boſwell's own houſe, in due form, with a ſummons to attend the committee. Boſwell lived in Athlone, on the Leinſter ſide of the town, and knew the ſummons to be a parliament ſummons.

Eighth witneſs—Thomas Fallen was produced to diſqualify Michael Byrne. Michael Byrne had conformed about twenty years, he ſaw Michael Byrne at maſs within the then laſt three weeks, he could not ſay that he ever ſaw him at maſs before, or at the time of the election; but he always ſaw his, Byrne's, children at maſs, his children were upwards of fourteen years old; he ſaw him five or ſix times at maſs, and ſaw him at maſs in a convent or friary, the convent in Athlone, was on the Leinſter ſide; he believed that Byrne had been at maſs before the election, his reaſon for believing it, was, that Michael Byrne had an ulcer on his throat, and the witneſs ſent his apprentice to him, who returned and told the witneſs that Byrne had relapſed, and had had maſs in his houſe; Byrne's youngeſt child appeared to

be

be twenty-five years old; the witneſs never knew Byrne's daughter to go any where but to maſs; Byrne was pronounced to be in great danger at the time he ſent for the prieſt. The apprentice was at that time about eighteen or twenty years of age, this was about four years ago. The witneſs was told the maſs was principally on Byrne's account.

John Lyons was again produced on behalf of the petitioner, to diſqualify Richard Cormick, (who appeared to be entered No. 98, in the ſheriff's book, his abode Athlone in the county of Weſtmeath, his freehold Athlone Fiſhery, of value forty ſhillings, to have taken the freeholder and popery oaths, and to have voted ſingly for Mr. Crofton.) The witneſs knew Richard Cormick of Athlone, and was well acquainted with the eel weirs, called Athlone weir, and he believed Cormick held one, and no more to his knowledge, there were nine or ten weirs in Athlone, on the Roſcommon ſide. The weir Cormick held was one of them, it was the worſt on the river, and at the bottom of them all. Cormick ſeldom caught more than ſix fiſh of a morning.* He knew Cormick very well, the weir which Cormick had was not worth the labour of attending it, to the knowledge of the witneſs, it was not worth twenty

* An objection was here taken to Lyons's evidence, as Cormick had been ſworn at the election, but it was overruled.

ſhillings

ſhillings a year. Cormick fiſhed it every morning. Cormick has ſome houſes in Weſtmeath. The weir was ſet to Cormick by George Weſt. Cormick never told him the worth of the weir. He was croſs examined, he knew Cormick ever ſince he knew Athlone, he could not form any belief whether Cormick had voted at the election in 1768, he could not tell every fiſh Cormick caught, he might have caught and ſold many unknown to the witneſs, he could not tell how much money Cormick had received, he did not think Cormick received forty ſhillings in three months. Cormick's nets were always ſtuffed with weeds. The witneſs believed Cormick makes the beſt of his time, and attended the weirs during three months, Auguſt, September, and October, Cormick lived on the water ſide, and might take up his nets in the night, but if he did it was not a common practice, it might be done perhaps once in five years, he thought Cormick had the weir five or ſix years, Cormick has often told the witneſs that the weir was not worth his while to attend it, and if he could make forty ſhillings in three months, the witneſs ſaid it would be worth his while to attend it. Cormick had a freehold in Weſtmeath, the freehold was five hundred yards from the water, there were no nets on the Shannon filled with weeds but Cormick's, the witneſs believed Cormick's freehold

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Thomas Fallon was again produced—Cormick threw the weeds on the land, some times into the river, to buy yarn for a net and lend it to be made, would cost half a guinea, and eighteen or twenty shillings, to keep up a weir. There was a greater bed of weeds in Cormick's weir than that of any other.

John Lyons was again produced—He knew the wife of Cormick, he never knew her any religion but a papist, he saw her constantly at mass 'till within these three years, that she had been bed ridden, he saw her a hundred times at the celebration of mass on her knees, with beads in her hands. He was cross examined on this point. He saw her in a chapel in Athy, he said while on his original evidence, as to Cormick, he told Mr. Thewles that he, the witness, knew Cormick's wife to be at mass, he had not any bet depending by himself, or any other person, or any other advantage in expectation whatsoever, relative to the disqualification of voters, he never heard, nor did he believe, that at any time Cormick's wife conformed.

John

John Cuſack was here produced to ſhew Cormick had been ſummoned to attend the committee—He had ſerved Richard Cormick, Senior, himſelf in perſon, and Cormick knew the paper in the witneſs's hand to be a parliamentary ſummons.

John Lyons was again produced by the petitioner to diſqualify Robert Codner, junior, who appeared to be entered No. 76, on the ſheriff's book, Robert Codner, junior, his abode Athlone, his freehold a houſe in Athlone, of the value of ten pounds yearly, to have taken the freeholders oath, and to have voted for Crofton and Kelly. The witneſs knew Robert Codner, junior, knew his wife, they were reputed to be married, ſhe was a papiſt, he ſaw her at maſs before the election, and at all times looked upon her to be a papiſt, as he never heard ſhe had conformed.

He was croſs examined as to his vote.

He had ſeen her at maſs twenty times, Codner's wife and children were there at the ſame time, he only knew them to be married by common report. Codner was a proteſtant born, he believed Codner's wife had a child by Codner before he ſaw her at maſs; their children were under five years of age; her name was Walſh before her marriage; her father and mother were Roman catholics; the witneſs did not ſee her at maſs ſince the election; Codner's father and mother were proteſtants; the witneſs never

heard that Codner's wife had conformed, ſhe might however have done ſo without his knowledge.

The ninth witneſs—Michael Giraughty was produced by the petitioner in confirmation of the teſtimony of Lyons as to Codner. He knew Codner for fifteen years; the witneſs was a Roman catholic; Codner was married; the witneſs knew Codner's wife; ſhe was a Roman catholic; the witneſs lived in Athlone, and had ſeen Codner's wife at maſs; he could not ſay ſhe was a papiſt at the election. He was croſs examined. He knew John Kilmartin, and on his croſs examination it having been aſked whether he had been indicted for any offence, and he having denied his having recollected any affair of that ſort, two witneſſes Bryan Fallon and James Smyth were produced to impeach his credit, by proving that he did know of indictments having been preferred againſt him.

John Lyons was again produced by the petitioner to diſqualify John Fielding, who appeared to be entered No. 15, in the deputy's book; his abode Athlone; his freehold Bigmeadow-lane, Athlone, value ten pounds a year; to have taken the freeholders and popery oaths, and to have voted ſingly for Mr. Crofton. The witneſs knew John Fielding very well; he knew him ever ſince he was married; he was thirty-one years married; he believed

lieved him to be a proteſtant, and profeſſed the trade of ſtaymaking; he knew Fielding's circumſtances; he never knew him to have a freehold, and never knew him to be out of debt. Fielding was a very poor man, ſo much ſo, that his houſe was open to the inclemency of the weather, with a matt only to ſcreen it from it. He was croſs examined. He was not at the laſt election for Roſcommon, he heard that Fielding polled at that election, a great many told him (the witneſs) that Fielding polled, he was told by John Mc. Laughlin who polled with Fielding. The witneſs knew the Bigmeadow-lane, a part of it was in Mr. Hamilton's poſſeſſion, part of it Mr. Glaſſe's, and part of it was Mr. Fry of Boyle's; he knew ſome of the people in Bigmeadow-lane, but did not know all; he thought, and was ſure that Fielding could not have a freehold there unknown to him; he believed there were twenty or thirty cabbins in Bigmeadow-lane, the beſt of which was not worth forty ſhillings, except one. He never knew Fielding to have any buſineſs in Roſcommon, except to buy ſtay-making trimmings; he never knew any thing to Fielding's prejudice, but he could not have land unknown to the witneſs; the witneſs did not know every freeholder in Athlone. Fielding had often told the witneſs that he had no leaſe, but he might have had a leaſe unknown to the witneſs; he has had dealings

with Fielding, and had often relieved him in diſtreſs, but would not credit him two ſhillings and eight pence halfpenny. There was one houſe in Bigmeadow-lane worth above forty ſhillings, it belonged to Mr. Meecham of Athlone. Fielding was in the witneſs's debt; Fielding told him three or four months before the election, and told him three or four years before the election, that he had no leaſe, and Fielding could not have got a leaſe unknown to him, the witneſs, the reaſon he aſked him about his having a leaſe was that Fielding came often to him, the witneſs, and told him that his houſe was down, and that he, Fielding, had no place or houſe to go to; the moſt Fielding owed him was eleven ſhillings and fourpence halfpenny; Fielding owed him nothing then, and Fielding never denied his having a leaſe on account of his owing the witneſs money; the witneſs never would ſpeak to Fielding ſince the election, in conſequence of his having ſworn himſelf a freeholder.

John Lyons was again produced to diſqualify Daniel Lyſter, who appeared to be entered at No. 405, in the ſheriff's book, his abode Athlone, his freehold in the ſame, and of the value of ten pounds yearly, to have taken the freeholders oath, and to have voted for Croſton and Kelly. He knew the man called Daniel Lyſter, but believed his name to be Daniel Leopard, and never heard

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he had any freehold; he lived in Athlone, in the Roſcommon ſide, he was bred a Shoemaker, when the witneſs firſt knew him, about fifteen or ſixteen years before the time of his giving evidence, Lyſter went by the name of Leopard; when the witneſs knew him firſt he did not know what trade he was of; the houſe Lyſter lived in, the witneſs believed to be his maſter's, his maſter always lived in it. About ſixteen years ago the witneſs believed Lyſter or Leopard was twelve or thirteen years of age; he did not remember Lyſter to have a freehold at that time, he believed Lyſter was abſent a year out of the houſe, and his maſter during that abſence lived in it. He was croſs examined, he did not know all the freeholders in Athlone; he could not ſwear poſitively, that Lyſter had no freehold, but believed the rent of the houſe out of which Lyſter voted was forty ſhillings, the witneſs heard he ſwore he had a freehold, he never ſpoke to Lyſter ſince the election, the houſe altogether was not worth more than three pounds a year, there were aſſizes held in Roſcommon, he never heard that Lyſter was indicted for ſwearing himſelf a freeholder, but had heard ſeveral gentlemen condemned him for ſwearing himſelf a freeholder, there was a [illegible] about the ſize of the committee room, annexed to the houſe, the witneſs knew Athlone and the freeholders very well as he lived there.

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The tenth witneſs—Thomas Leper was produced on behalf of the petitioner, to confirm the teſtimony of John Lyons, in diſqualifying Daniel Lyſter, he has a brother of the name of Daniel Lepper, who had aſſumed the name of Daniel Lyſter, helived in Athlone, oppoſite Mr. Thewles's buildings, (which were called the new buildings.) Daniel never had an inch of ground in Athlone, his father was dead more than fifteen years; Daniel lived in his maſter's houſe, his maſter took the leaſe for twenty-two years from Mr. Dillon and Fergus, and there were then not two years to come of the leaſe; Daniel followed no trade, he was a ſhoemaker, and was ſupported by his maſter, and never had any freehold, the witneſs was elder than Daniel Lyſter. He was croſs examined. Daniel had no freehold, the witneſs did not know every freeholder in Athlone, he could not ſwear that there was not a Daniel Lyſter that had a freehold, there might be a Daniel Lyſter that polled; he appeared to diſqualify another voter; he received no inſtructions about voters; the rent of the houſe out of which Daniel voted was not more than three pounds ten ſhillings; the witneſs lived in Dublin, he did not come of himſelf, to give evidence, though he was not ſummoned. He was called upon by an agent of Mr. French, and came to diſqualify his brother, to ſerve Mr. French; the witneſs had been five or ſix times

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in Athlone, he had left Athlone in the laſt June, before the petition, and was not there at the time of the election; he never had any diſpute with his brother Daniel; he had not received a gratuity, or farm, nor did he expect any thing, he was an upper ſervant, and he ſome times wrote as a clerk, had lived with Mr. Adderly and Lord Gosford, his brother did not change his name, but went by the nickname of Daniel Lyſter; he was ſure there was not a Daniel Lyſter in Athlone, a freeholder, but it was poſſible there might be a perſon of the name of Daniel Lyſter a freeholder; the witneſs had been thirteen months together in Athlone; the laſt time he was there Daniel told the witneſs the reaſon of his voting was the effects of liquor, and that he was induced to do it, he was ſure that Daniel Lyſter did expect ſome money from Mr. Crofton, and had came up to Dublin for the purpoſe of getting it, he drew up a petition to Mr. Crofton for Daniel and two others ſince the election, they had told the witneſs they were ſhort of caſh, and he the witneſs told them he had none to give them, they all went to a public houſe where the witneſs drew up the petition, there was nothing in the petition claiming any promiſe from Mr. Crofton, when the petition was drawn up they went to Mr. Crofton, who when he ſaw them, deſired them to go to Mr. Croker, and he would give them

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what Mr. Crofton had promiſed them in Roſcommon; the witneſs ſaw them after and they told him they got no money from Mr. Croker; the witneſs's brother told him that he had got two half crowns from Mr. Crofton to go to the election at Roſcommon; the witneſs's mother would not give Daniel Lyſter a farthing to ſave him from being hanged.

The eleventh witneſs—John Kelly was produced on behalf of the petitioner, in further confirmation of the diſqualification of Lyſter. The witneſs attended at the election of Roſcommon, and was employed at the poll taken in the ſheriff's court. Daniel Lyſter polled there, he ſaw Daniel Lyſter poll, and knew him ſix years; he had ſeen Thomas Lyſter in Athlone, he is the reputed brother of Daniel Lyſter. He was croſs examined: He did not know all the freeholders of Roſcommon, nor all the freeholders in Athlone, but he knew Daniel Lyſter ſix years, and was certain he polled at the election. The witneſs has no deſign to ſay there was not a Daniel Lyſter qualified to vote in Roſcommon, nor that there was not a Daniel Lyſter qualified to vote in Athlone; Lyſter is a very common name in the county of Roſcommon, and many gentlemen of property of that name were agents of Mr. Mahon on the election, but he had heard

Lyſter

Lyſter went by the name of Lepper, and Thomas Lepper is Daniel's reputed brother.

John Cuſack was again produced to prove ſervice of the parliamentary ſummons on Daniel Lyſter and on John Fielding. He knew it was parliamentary ſummons which he ſerved Lepper's mother with, at her houſe, but did not know whether they live together, and never ſaw the mother before. Daniel Lepper was in bed in the houſe at the time of the ſervice. He knew that it was a parliamentary ſummons of which he delivered a copy to Fielding's daughter. John Fielding and Daniel Lyſter were called and did not appear.

John Lyons was again produced on behalf of the petitioner to diſqualify John Mc. Laughlin. He knew John Mc. Laughlin of Athlone, knew him twenty-four or twenty five years; the witneſs was a papiſt, Mc. Laughlin was a papiſt alſo; the witneſs had ſeen him at maſs, and never heard that Mc. Laughlin had a freehold until he voted at Roſcommon; his parents were papiſts, and he was himſelf a poor journeyman weaver, and had then gone to America as a ſoldier. He was croſs-examined: He knew him twenty-three or twenty-four years; the witneſs was not at the election, but had heard that Mc. Laughlin had voted; there might be ſeveral perſons of that

name in the county of Roſcommon; the witneſs did not know all the freeholders, and could not ſay but there might be a real freeholder of that name, he had ſeen Mc. Laughlin at maſs, and was told by Mc. Laughlin himſelf that he had polled at Roſcommon, but he did not tell the witneſs he had taken the freeholder's oath, nor could the witneſs ſay Mc. Laughlin had taken the freeholder's oath; he believed Mc. Laughlin had told him truth when he told him he had voted; the witneſs came to know Mc. Laughlin's voting in the following manner; he came to the witneſs's houſe to buy ſome woollen ſtockings, and Lyſter aſked him, Mc. Laughlin, did he vote at Roſcommon, to which he anſwered he had voted a plumper, a ten pound freehold, and Jack Fielding along with him, for Mr. Croſton; the witneſs had heard that Mc. Laughlin was concerned for having ſworn himſelf a freeholder at the election; he had heard Mc. Laughlin was married, but did not know his wife's religion; he was poſitive that he, the witneſs, had made no declaration of his not having any evidence to give againſt Mr. Croſton, after he had received the ſummons. He knew Henry Maypother, and being aſked by him whether he, the witneſs, did not go about to procure evidence and information againſt Mr. Croſton, the witneſs anſwered he did not, and when he, the witneſs, received the ſummons,

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he went to Thomas Fallen who lived in Athlone, and told him that he was ſummoned, and was very much ſurprized at it, as he had no concern with either party, nor ever croſſed the threſhold of his door to prove votes for either one or other of the candidates; and ſaid this before Maypother. The witneſs never went to the election of Roſcommon, nor attempted to influence any perſon, and did not recollect any other diſcourſe with Maypother. Mr. French, or any perſon from him, was not in the houſe after the election. The witneſs came to town on the then laſt Saturday ſen'night, and went to Mr. French on the Sunday following, to know why he was ſummoned, a liſt of freeholders were ſhewn by Mr. French to the witneſs, who told Mr. French of ſuch as he, the witneſs, thought were freeholders, and ſuch as were not, of ſuch as were papiſts, and ſuch as were not, of ſuch as were married to popiſh wives, or not. The witneſs told Edward Walſh of his receiving the ſummons, is not active in procuring evidence againſt Mr. Crofton. The witneſs had ſome converſation alſo with T. Fallen, as a friend of Mr. French, he told Fallen it was hard on him to go to town, and Fallen told the witneſs that he could not avoid going, the witneſs aſked him when he would ſet off, the witneſs thereupon told Fallen his horſe was ready, and he would go on Saturday. He was never in company with Mr.

French till he came to Dublin, and was not aſked in the country by Fallen what evidence he could give, or by any other perſon. The witneſs did not wiſh to come to Dublin, it was againſt his inclination, and it was not through reſentment he came up, but entirely in conſequence of the ſummons. He had ſeen Mc. Laughlin at maſs a month before the election, at the Leinſter ſide of Athlone. Gilbert Murtogh and his wife were at maſs, at the ſame time, he never heard that Mc. Laughlin had conformed, or that he had a freehold, and thought he ſhould have heard it if he had; Mc. Laughlin was a poor miſerable creature, a journeyman linen weaver, who lived with his father, and the witneſs believed his father had no leaſe.

John Lyons was again produced on behalf of the petitioner, to diſqualify John Smith, who appeared to be entered No. 13, on the deputy's book, his abode Athlone, his freehold three houſes in Athlone, their value ten pounds, to have taken the freeholders and popery oaths, and to have voted ſingly for Mr. Crofton. He had but little acquaintance with Smith, and did not know whether another of that name lived in Athlone; he knew one John Smith who came five or ſix years before that time to Athlone, a journeyman weaver, he did not know him to have a freehold,

did

did not know his religion, but knew him to live in a cabbin in Athlone.

The twelvth witneſs—Bryan Higgins was produced on behalf of the petitioner, in confirmation of the teſtimony of Lyons as to the diſqualification of Smith. He knew one Jack Smith in Athlone; Smith had no houſe, nor ever had in Athlone, he was a journeyman weaver, and a proteſtant. The witneſs had ſeveral converſations with Smith about the election; Smith told the witneſs he Smith had voted for Mr. Crofton, but never told the witneſs he had taken any oath; Smith worked with Robert Smith in Athlone; the witneſs was well acquainted with Athlone, lived there; Smith was a young boy that never had a houſe, and never had told the witneſs he had a houſe; he was little more than twenty-one years of age, and had nothing but as he earned. He was croſs examined, Smith told the witneſs he had voted for Mr. Crofton; the witneſs was not at Roſcommon at the election, and did not know all the freeholders in Athlone, but knew all the John Smith's in Athlone, he did not know any John Smith that polled but him, a John Smith might have polled without his, the witneſs's, knowledge; John Smith that worked for Robert Smith, told the witneſs he had voted for Mr. Crofton, and did not deſire the witneſs to keep it a ſecret. The witneſs knew nothing of Smith's

diſhoneſty,

diſhoneſty, he knew that Robert Smith lives in one of Mr. Fry's houſes in Athlone.

John Cuſack here proved ſervice of ſummons on John Smith, and Smith was called and did not appear.

John Lyons was again produced by the petitioner, to diſqualify Robert Smith, who appeared to be entered No. 14, in the deputy's book, his abode Athlone, his freehold conſiſted of three houſes in Athlone, its value ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted ſingly for Mr. Crofton. He knew Robert Smith, a weaver in Athlone, he was witneſs to a leaſe of lives which Smith held under Mr. Fry, commencing the firſt of May 1776, and made by Mr. Fry to Robert Smith, (a leaſe for three lives or thirty-one years, at the yearly rent of two pounds, being produced before the committee.) Lyons ſaid the hand writing of one of the witneſs's was his. He received Mr. Fry's rents in Athlone, at his requeſt Smith got the leaſe from Mr. Fry; Smith ſeemed to be a very honeſt induſtrious man. The witneſs knew he, Robert Smith, had no other houſe; Smith had been in poſſeſſion of the houſe a year before he had the leaſe made to him; the witneſs did not ſpeak to Smith ſince the election, in conſequence of his having voted as a ten pound free-

holder.

holder. The witneſs received eleven ſhillings and four-pence halfpenny for rent from Robert Smith, as Mr. Fry's receiver. The witneſs did not ſee him, Robert Smith, poll; the witneſs was not at the election, and could not ſwear Robert Smith polled, but Smith told him, the witneſs, he had polled on the very day that Smith alledged he polled; Smith told him, the witneſs, that he polled under the leaſe from Mr. Fry, and the witneſs Lyons ſaid therefore to Smith, that he was a bad man for doing ſo, on which Smith ſaid he was not ſworn; the witneſs might have for what he could recollect, have had converſation with many people about the election. He thinks Robert Smith's houſe too dear of forty ſhillings; he had heard many perſons ſay they were not ſworn.

Colonel French on behalf of the petitioner, mentioned, that the following perſons, viz. the Rev. John Vance, Eneas Magrath, Eſq; Peter Cormiffe, Patrick Tully and Thomas Byrne, were ſummoned and did not attend, and ſervice was then proved upon them as in the other caſes.

The thirteenth witneſs—George Fallon was produced by the petitioner, to diſqualify George Flood, Eſq; who appeared to be entered at No. 213, in the ſheriff's book, his abode Cranagh, his freehold the ſame, of the value of ten pounds yearly, and to have voted for Mahon and Crofton. The witneſs knew George Flood of Cranagh, and

and was intimately acquainted with his wife for eleven years paſt, or the woman who lived with Mr. Flood as his wife, and reputed to be married to Mr. Flood; he knew Mrs. Flood, ſhe was a papiſt, had ſeen her often at maſs, had ſeen her before the election. Mr. Flood had come to live near Dublin ſince the election, and he had no knowledge of him ſince. He was croſs examined. Mr. Flood was a proteſtant, believed he was always a proteſtant, and never heard he conformed; Mr. Flood's father was a proteſtant; the witneſs was not at the election at all, and never ſaw Mr. Flood at maſs. He knew Mr. Flood ſince he, Flood, was a child. Mr. Flood was married nine or ten years, and has children, who were young, and if they went to any place of worſhip it was to church, he was ſure he ſaw Mrs. Flood at maſs within the then laſt three years, he believed he ſaw her there in the then laſt ſummer was two years, and never had heard that Mr. Flood's wife had conformed. When Mr. Flood was at ſchool the witneſs was apprentice in the ſame town, and never had heard that he went to maſs. The witneſs lived in Athlone, and knew John Lyons very well; Lyons lived in Athlone, keeps a ſhop and a billiard table, and had a very good character; the witneſs had dealings with Lyons, who diſcharged himſelf punctually and honeſtly. The witneſs had very little converſation

converſation with Lyons, reſpecting the election, and Lyons never told him, the witneſs, about his evidence, and believed he, Lyons, never ſpoke to Mr. French before he came to Dublin. The witneſs never applied to Lyons to know what evidence he could give, and did not know what evidence Lyons could give in favour of Mr. French before he was ſummoned.

Mr. George Flood being called, and having appeared, the petitioner's counſel declined to examine him, and the agent for the ſitting, deſired that that fact ſhould be noted down.

The fourteenth witneſs—Thomas Fallon, was produced by the petitioner, to diſqualify Daniel Fallon, who appeared to be entered No. 78, in the deputy's book, his abode Cloonikillig, his freehold Barnycullen, and to have voted for Mahon and Crofton. The witneſs knew Daniel Fallon, had ſaw him at maſs before and ſince the election, and to join in the ceremonies of the maſs, in the ſame year of the election. He was croſs examined, he heard from Daniel Fallon himſelf, that he had voted at the election; Daniel Fallon's father was a proteſtant; the witneſs did not know of any brother of his, Daniel Fallon—Daniel Fallon had had an eſtate, which he ſold to Mr. Caulfield. The witneſs had heard that Daniel Fallon's father had conformed; Daniel inherited his father's eſtate

after his death, and enjoyed it without hinderance until he ſold it.

The fifteenth witneſs—Daniel Lyons was produced by the petitioner, to diſqualify Edward Kelly, who appeared to be entered No. 4, in the ſheriff's book, his abode Athlone, his freehold in the ſame place, the value ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted ſingly for Mr. Crofton. The witneſs knew one Edward Kelly, a ſtaymaker, in Athlone, did not know two of the name; the witneſs lived in Athlone thirty years, and was a conſtant reſident; Edward Kelly lived above the Navigation bridge, in the Roſcommon ſide of the Shannon, and holds a houſe under one Mc. Donogh. Mc. Donogh was formerly a ſervant to Counſellor Dalton. Mc. Donogh took a plott from Mr. Dalton, and built three or four houſes upon it. The witneſs did not know under whom Dalton derived, nor whether Mc. Donogh demiſed to Kelly or not, the houſe worth about fifty ſhillings a year; the witneſs did not know of any garden to the houſe but a little yard. There might be a ſtrange Edward Kelly living in Athlone, but he the witneſs did not know any other of the name that came ſince 1776, but there might an Edward Kelly come into Athlone, as there were many ſtrangers came to that town during the then laſt two years; but he, the witneſs, never heard of any Edward Kelly

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a ten pound freeholder in Athlone, the witneſs had ſeen Kelly ſince the election, but never had any converſation with him reſpecting thereto. He was croſs examined: He was brother to John Lyons, he believed his brother and he were indicted and accuſed of ſtealing, but were honourably acquitted; and he the witneſs applied to Mr. Juſtice Aſton, who tried them, and who deſired him, the witneſs, to take out a warrant againſt the proſecutors; he did not know, nor never heard, that his, the witneſs's, brother was indicted for ſtealing a boat, the property of Redmond Cormick; his brother and he were commited to gaol, by Colonel Handcock, for beating Handcock's ſervant, and Colonel Handcock afterwards pardoned them; there might have been an Edward Kelly in Athlone before the preſent, one James Kelly lived at the ſign of the ſun, had a half brother of the name of Tom Kelly, but had not a brother in Athlone of the name of Neddy Kelly, and did not know another Ned Kelly who lived at the ſun. The witneſs could not recollect exactly where Edward Kelly lived before his preſent abode, he did not believe that Edward Kelly had a profit of ten pounds out of his houſe, but did know whether he had any profit out of his firſt houſe, he believed Edward Kelly three or four years ſince, had changed his habitation, Kelly had lived formerly in the Roſcommon ſide of the

Shannon, and if he were the man the witneſs intended, he was a ſtaymaker, and had a ſtay-ſhop in his former houſe, and voted at the election of Roſcommon, as the witneſs heard, but he did not ſee him vote.

Thomas Fallon was again produced by the petitioner, in confirmation of the teſtimony of Daniel Lyons, to diſqualify Edward Kelly. He knew Edward Kelly of Athlone, he was a ſtaymaker, he lived in Athlone; the witneſs had a converſation with Kelly during the election, midway on the road between Athlone and Roſcommon, as Kelly was returning to Athlone, at which time Kelly told him, that he Kelly was not at the election, for that he had no buſineſs there as he had no vote, and that he had been at Mr. Kelly's for the price of ſome ſtays. He was croſs examined: He could not tell on what day he met Kelly, the election was over two or three days before the witneſs met Kelly. Kelly lives in Connaught-ſtreet; the witneſs knew Kelly very well, and never heard any thing to the prejudice of his character.

John Cuſack proved ſervice of ſummons on Edward Kelly, who did not appear.

The ſixteenth witneſs—Robert Birch, Eſq; was produced by the petitioner, to diſqualify William Dempſey, who appeared to be entered No. 233,

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in the ſheriff's book, his abode Ballinleague, his freehold the ſame place, and to have voted for Mahon and Crofton. The lands of Ballinleague were the eſtate of the witneſs; one Howard and Mr. Jeſſop, were in partnerſhip, his tenants, he did not know a William Dempſey on his eſtate; the witneſs purchaſed a leaſe made in 1700, for ninety-nine years, he did not know any lands called Ballinleague but his own; Howard and Jeſſop were his immediately tenants; the lands were ſubdivided fifteen years ago; the witneſs has nineteen years yet to come of his intereſt, and did not think it poſſible that Dempſey could have any freehold intereſt; he did not know any thing of William, there may be ten William Dempſey's. Since the year 1714, the witneſs never heard of any Ballinleague but his own, it was poſſible there might be another Ballinleague, but at the time the witneſs purchaſed, his attorney ſearched the Regiſtry, and found no other Ballinleague therein. John Cuſack ſworn, proved ſervice of ſummons on William Dempſey.

The ſeventeen witneſs—Thadee Connor was produced by the petitioner in confirmation of the teſtimony of Robert Birch, Eſq; to diſqualify William Dempſey. He knew William Dempſey very well, the evidence was a farmer and ſhop-keeper, and had employed Dempſey as a tobacco manufacturer; Dempſey was not then in the witneſs's

ſervice,

ſervice, they parted by conſent, the witneſs did not like Dempſey as he was a drunkard, and did not attend to his buſineſs. Dempſey never informed the witneſs that he had polled at Roſcommon, nor had he any converſation with Dempſey about the election. Dempſey had not been in his ſervice for a long time.

The eighteenth witneſs—Redmond Fallon produced by the petitioner, to diſqualify William Geraghty, who appeared to be entered as No. 34, on the deputy's book, his abode Rooſky, his freehold Felogher, the value ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted for Crofton and Kelly. The witneſs knew William Geraghty, who was a ſmith, he knew him to be a papiſt; many weeks before the election, the witneſs ſaw Geraghty join in the ceremony of the maſs; the witneſs knew him ſix years, never knew him to profeſs any other religion for that time but the popiſh; the witneſs was out of Athlone a year, and knew nothing of Geraghty during that time. He was croſs examined: The witneſs was a Roman catholic, he was not at the election, he could not take upon him to ſaw whether or not that the William Geraghty that polled, was the one he knew; he knew but very few of the freeholders in Roſcommon, there might no doubt be another William Geraghty, who might have polled at the election,

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for what he knew; the witneſs never heard that the William Geraghty he knew was a proteſtant, and he did not doubt but that Geraghty might have a holding in part of the village to which he lived near; Geraghty told the witneſs there were no queſtions aſked him at the polling. The witneſs was told that he was ſummoned on the part of Mr. Crofton, by Daniel Boſwell, Mr. William Hudſon and Mr. George Flood, and never took an active part with Mr. French.

The ſame witneſs was again produced to diſqualify William Hawkins, who appeared to be entered No. 298, in the ſheriff's book, his abode Creagh, his freehold the ſame, its value ten pounds yearly, to have taken the freeholders oath, and to have voted for Crofton and Kelly. The witneſs knew William Hawkins of Creagh, he profeſſed himſelf a proteſtant, at the time of the witneſs's giving teſtimony, but ſometime before the election, the man he meant profeſſed himſelf a papiſt, and the witneſs ſaw him at maſs between Chriſtmaſs and the time of the election. He was croſs examined: Hawkins was preſent at maſs, the witneſs never ſaw him receive the ſacrament, and never ſaw him at maſs but once, between Chriſtmaſs and the election, and could not tell the day, and never ſaw him in his life but that once at maſs.

Daniel

Daniel Lyons was again produced by the petitioner, to disqualify John Collins, who appeared to be entered No. 404, on the sheriff's book, his abode Athlone, his freehold Athlone, its value ten pounds yearly, to have taken the freeholders oath, and to have voted singly for Mr. Crofton. The witness knew one John Collins, there was a woman who went by the name of his wife, the witness knew her very well, and believed her to be a papist, had seen her at mass about six weeks before he gave testimony. The witness saw her at mass in 1776 and in 1777, and had seen her pretty often at mass. She always went to mass, he never saw her receive the sacrament, but saw her go in and out like another of the congregation, and to have beads in her hands; he knew her father very well, and he was always a reputed papist, he knew her mother also, and she was always reputed a papist. He was cross examined: Her maiden name was Kelly, she was bred and born in Athlone; the witness did not know whether Collins be married to this woman or not; Collins is a protestant; the witness never knew the father of this woman but in Athlone, and believed Collins was bred a protestant; he never saw him at mass; Collins is now a soldier.

The nineteenth witness—Thomas Ganly was produced by the petitioner, to disqualify John Ryan,

Ryan, who appeared to be entered No. 33, in the deputy's book, his abode Ballinaſloe, his freehold Inch, its value ten pounds yearly, to have taken the bribery, freeholders and popery oaths, and to have voted ſingly for Mr. Croſton. He knew John Ryan of Ballinaſloe, eleven years before the election; Ganly, the witneſs, was a papiſt; had ſeen John Ryan often at maſs, believed him to be a papiſt, and never heard that he had a freehold; Ryan followed Butchering, and the witneſs never heard that Ryan had any lands at Inch. He was croſs examined: He could not ſay poſitively that Ryan was a papiſt; the witneſs was two or three hours at the election, but did not ſee John Ryan vote at the election, and only heard he voted; there might be another John Ryan in Ballinaſloe; the fartheſt of the lands of John Ryan's were a mile from Ballinaſloe, and he did not know all the freeholders in Ballinaſloe, there might be a John Ryan who polled at the election that he did not know; the witneſs had not lived at Roſcommon ſince laſt Auguſt was twelve months, and had left Ballinaſloe to go to Athlone, becauſe his buſineſs did not anſwer at Ballinaſloe; he had not any converſation with Ryan ſince the election; he never knew Ryan to live any where but in Ballinaſloe; the witneſs never knew a houſe or inhabitant at Inch; Ryan is reputed to be a papiſt; the witneſs ſaw Ryan at maſs,

receive once or twice a year, and often to receive in their own houſes; he never heard any one ſay Ryan had lands; the witneſs had known proteſtants to go to maſs to hear ſermons.

Twentieth witneſs—Thomas Reeves was produced by the petitioner, in confirmation of Ganly's teſtimony to diſqualify John Ryan. He knew John Ryan of Ballinaſloe, he ſaw him often before the election, he knew an Iſland in the county of Roſcommon called Inch; Ryan is a butcher in Ballinaſloe; he never knew him to be a freeholder; he ſaw him in Boyle after the election; Ryan was aſked why he went to the election, and he anſwered what harm when I was not ſworn, this was in the ſtreet of Boyle among the people. He was croſs examined: There may be another John Ryan who had a good freehold, and had polled in Roſcommon; he never had a quarrel in his life with Ryan, he heard Ryan ſay he polled but was not ſworn; the converſation in Boyle was chiefly about the election; Ryan ſaid he would not take the oath. The witneſs believed Inch to be the eſtate of Captain French; the witneſs was very well acquainted with John Ryan the butcher, of Ballinaſloe, he believed Ryan could not have land in Inch unknown to him, land was there ſet for ſeven, ten, twenty, thirty, and forty ſhillings per acre. Ryan was in low

circumſtances

circumſtances as the witneſs believed, there were one Cox and one Garrett preſent at the converſation with Ryan. The witneſs was a nailer.

It was admitted by both parties, that but one John Ryan voted.

Thomas Ganly was again produced by the petitioner, to diſqualify Walter Beatty, he appeared to be entered No. 36, in the deputy's book, his abode Ballinaſloe, his freehold Drimaligagh, of the value of ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted for Mahon and Crofton. He knew Walter Beatty of Ballinaſloe; he knew the land of Drimaligagh, the eſtate of Sir Richard St. George, and was ſure Beatty of Ballinaſloe never lived at Drimaligagh, he did not know whether he voted at the election or not; but was ſure the Beatty he knew had no intereſt in Drimaligagh; Beatty worked for him as a coach maker; the witneſs brought him from Dublin, and ſaw Beatty and his wife often at maſs before the election; Beatty told the witneſs he was a papiſt ſoon after he came to live with him. The witneſs aſked him no queſtions about his religion, and had had proteſtants working for him for nine years together, and religion with the witneſs made no difference. He was croſs examined: He meant Beatty that lived in Ballinaſloe, Drimaligagh, four miles from Ballinaſloe.

Thomas Ganly was again produced by the petitioner, to diſqualify John Coſtello, he appeared to be entered No. 446, in the ſheriff's book, his abode Ballinaſloe, his freehold Inch, its value ten pounds yearly, and to have voted ſingly for Mr. Cloſton. The witneſs knew one John Coſtello at Ballinaſloe laſt Auguſt, was ſometime reſiding there, was a coach-maker, worked with Walter Blakeny, did not know any Coſtello but the one, he know Inch, was ſure John Coſtello did not hold any part of the lands of Inch, was a man of no reſidence, but came to Ballinaſloe a little before the election, and applied to the witneſs for work, the only tenants he knows in Inch, were William Buckly, John Dillon, Charles Carney and David Power, believed it contained fifty or ſixty acres, and was a bottom, generally overflown at that time of the year, and was ſet in ſummer in corn acres; Mr. Power holds about twenty acres, Charles Dillon had part of Inch from Buckly, the witneſs did not know how much Dillon or Carney had, but was certain they had part, was not exact as to Coſtello's religion, but never ſaw him at maſs.

He was croſs examined as to the above teſtimony.

Knows only by report that Coſtello voted at the Roſcommon election, but was ſure there can't be a ten pound freehold under any part of the above denomination;

denomination; there might be a forty ſhillings; did not know any John Coſtello but one, and knew nothing to the contrary, but that there might be another John Coſtello who voted at the election; there might be a freehold out of Inch made five years ago. The witneſs went to live in Ballinaſloe ſeven years ago, lived then in Athlone, and lived about eighteen or nineteen years ago in Mullingar; there might be many lands in Roſcommon called Inch, for what the witneſs knew. He had married a gentlewoman, and was encouraged by her friends to live in Ballinaſloe; ſhe died, and he did not find the expected encouragement, and therefore quitted Ballinaſloe and went to Athlone.

Thomas Reeves was produced to diſqualify Thomas Kelly, he appeared to be entered No. 17, on the deputy's book, his abode Ballinaſloe, his freehold Hammer, in Ballinaſloe, its value ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted ſingly for Mr. Croſton. He knew Thomas Kelly of Ballinaſloe, he lived in a houſe with his father in Creagh, joining Ballinaſloe; knew no other place of reſidence that Thomas Kelly had, and never knew any place called Hammer; he knew a park of nineteen acres called Omer, which the witneſs held himſelf from Mr. Brabazon. The witneſs knew Ballinaſloe and the places adjoining

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to it, and had lived fourteen years in Ballinaſloe. Thomas Kelly was not a tenant to him, and never held a bit of Omer to his knowledge. He was croſs examined; He was not at the laſt election for Roſcommon, and would not ſwear the Thomas Kelly he knew, was the ſame that had voted; he had ſeen Kelly ſince the election, but had no converſation with him.

Thomas Ganly was again produced. Had known Kelly from his infancy about fourteen or fifteen years. Ganly was a papiſt, and Kelly was a papiſt; the witneſs had ſeen him, Kelly, at maſs before the election. He was croſs examined. He knew Thomas Kelly, did not know Kelly of Hammer; the witneſs was not at the laſt election, and could not ſwear that it was the ſame Kelly he knew, that voted; he knew no Kelly of Hammer; he had heard of ſuch a place as Hammer, about Ballinaſloe, but did not know whoſe it might be, he had heard of Hammer before the election; Thomas Kelly lives in a place called Church-ſtreet, within half a quarter of a mile of Ballinaſloe, with his father, Creagh is half a quarter of a mile from Ballinaſloe, Church-ſtreet is in the pariſh of Creagh; the witneſs did not know of any perſon of the name of Hammer.

Peter Gibbons was produced to diſqualify the ſame

ſame Thomas Kelly. He knew Kelly of Creagh near Ballinaſloe; as the witneſs was going to church, Kelly's father was correcting him, the witneſs aſked him the cauſe of the diſagreement, and he anſwered that he did it on account of his going to the election; the witneſs then aſked young Kelly did you go there, "to which Kelly anſwered" I did, becauſe one of Mr. Crofton's agents promiſed me two guineas, to give my vote at Roſcommon election, for Mr. Crofton. He was croſs examined: The witneſs met Kelly a month or two after the election, but did not ſee him poll; an agent of Mr. Crofton's aſked him, the witneſs, to go to Roſcommon only to make a ſhow, he believed the agent was the ſon of one Byrne, he did not know him to be the agent of Mr. Crofton; he never heard of ſuch a place as Hammer; he could not ſwear that it was the ſame Kelly voted from Hammer; Kelly was about twenty-one years of age, is a labourer, his father, the witneſs believed, had a kind of a leaſe from Colonel Trench of Garbally; Kelly did not follow any trade, but was, as the witneſs believed, ſupported by his friends; Kelly, the father, was above ſixty years old; young Kelly was able to work and did not work; Kelly told him, the witneſs, he did not get the two guineas; the witneſs did not ſee him, Kelly, at all, at Roſcommon; the holding that Kelly's father had, was not above

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an acre, under the plott, houſe and all; when people took land, they generally give it what ever name they pleaſed; he, the witneſs, did not know any land called Omer; Kelly was ſaid to be a papiſt; the witneſs did not ſee Kelly in Roſcommon; the witneſs remained in Roſcommon from eleven o'clock to three; Kelly was condemned by every body; Kelly's father, as the witneſs believed, did not vote; they were polling he believes all the time he, the witneſs, was in Roſcommon; He ſaw a great many people in Roſcommon; he did not ſee Kelly for above a month after the election; the ſon tilled the land, the father lived on the produce; the family conſiſted of the father, the ſon, and two daughters; the witneſs was ſummoned ſince he came to town upon his own buſineſs, and Mr. Pain did not deſire him to come upon the occaſion.

Thomas Burke proved the ſervice of the ſummons on Thomas Kelly.

Luke Kelly was produced to diſqualify Michael Kelly, who appeared to be entered No. 16, on the deputy's book, his abode Ballinaſloe, his freehold Cloonkeen, its value ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted ſingly for Mr. Crofton. He was very well acquainted with Michael Kelly of Ballinaſloe, who is a papiſt, whom he, the witneſs, had

had ſeen at maſs very often, he being a papiſt himſelf; the witneſs never ſaw him, Michael Kelly, receive the ſacrament, but he was a reputed papiſt, and ſo was his father before him; Michael Kelly was an hoſtler to David Power, in Ballinaſloe; the witneſs was at the election, but did not ſee Michael Kelly vote; the witneſs aſked him, Michael Kelly, did he poll, but he would not tell. He was croſs examined: He lived in Ballinaſloe, he did not know all the freeholds or freeholders in Roſcommon; was a wig maker, and had lived there ſeven years; he never ſaw him, Michael Kelly, receive the ſacrament; there might be a Michael Kelly that he did not know in Ballinaſloe; he did not know Cloonkeen; the witneſs came up to town to ſee the faſhion and to work; he was ſummoned to attend there, by Mr. French; he did not expect any gratuity for his teſtimony, nor had he received any, nor any promiſe; there were ſeveral at Ballinaſloe, who knew that Kelly was at the election, and could give teſtimony.

Thomas Ganley was again produced to diſqualify Patt. Dawſon, who appeared to be entered No. 11, in the deputy's book, his abode Ballinaſloe, his freehold Portnick, its value ten pounds yearly, and to have voted for Mr. Crofton ſingly. He knew Patt. Dawſon of Ballinaſloe, at the time he was going to the election, the witneſs was go-

ing to Stone-park, they rode together; Dawſon told him, the witneſs, he, Dawſon, was going to the election, Dawſon told the witneſs, that he, Dawſon, had a freehold from William Buckly; Dawſon aſked him, the witneſs, to go to Moate with him, but the witneſs declined it; Dawſon told the witneſs if he were put to his oath, that he could not ſwear that he had a ten pound freehold; Dawſon had come with him, the witneſs, from Moate to Roſcommon during the election, and they dined together at one Payn's; Dawſon told the witneſs he had polled, and that no queſtion was aſked him, and that his vote had paſſed.

The witneſs was croſs examined as to Dawſon.

He had no converſation with any voter at any time, but with Dawſon, relative to the facts which he had alledged againſt Dawſon, that he the witneſs could recollect; the witneſs left Roſcommon immediately after Dawſon, and Dawſon told him, the witneſs, that he could not ſwear his vote was worth ten pounds; Dawſon might have a ten pound freehold unknown to the witneſs, who believed Dawſon to be ſober; the witneſs met Dawſon on the twenty-eighth day in Roſcommon, and converſed with him about his freehold, before he, Dawſon, voted.

Peter Gibbons in confirmation of the diſqualification of Michael Kelly. He knew one Michael

Kelly of Ballinaſloe, and never heard of another Kelly in Ballinaſloe; he lived in Dunlow, on the Galway ſide of the bridge. Kelly told him, the witneſs, that he, Kelly, was at the laſt election of Roſcommon, and that he had no freehold; he called the witneſs to read his ſummons, as Kelly told the witneſs he could not read or write; Kelly told the witneſs he would go to Dublin, as he had no freehold; the witneſs knows nothing of Cloonkeen; Kelly had been a good while an hoſtler to David Power, in Dunlow, and the witneſs was acquainted with Kelly, as long as he could remember, and never knew him to be any thing but an hoſtler or labourer. He was croſs examined: He lived in Dunlow; he did not know all the people in Ballinaſloe, there might, to be ſure, be two Michael Kellys in Ballinaſloe; the witneſs did not know Cloonkeen; a Michael Kelly might have a freehold there; he knew Michael Kelly who voted at the Roſcommon election; Kelly was not an hoſtler at the time of the election; he might have had a leaſe unknown to the witneſs, who believed him, Kelly, to be a papiſt, but Kelly was a reputed papiſt; the witneſs never ſaw him at maſs, he, the witneſs, was a proteſtant, and a carpenter.

Thomas Burke proved the ſervice of the ſummons on Michael Kelly.

Thomas Morgan was produced in confirmation

to diſqualify Patt. Dawſon. He knew one Patt. Dawſon, he, the witneſs, knew Portnick; he was told Patt. Dawſon purchaſed two acres one ridge; the widow Madden held one acre, he could not tell what rent ſhe paid; the witneſs was preſent when Edward Madden took it from Dawſon, as the witneſs believed at thirty ſhillings an acre, he did not know whether one acre were better than another, but as he heard Dawſon purchaſed from William Buckly; the witneſs would not give ten pounds a year for all the lands that he knew Dawſon to have in Portnick. He was croſs examined: The lands about Ballinaſloe would ſet for twenty ſhillings an acre, in Roſcommon the witneſs had heard the lands were ſet at forty ſhillings an acre; Dawſon got leſs than two acres and a half, there were two houſes on theſe two acres, and were within a quarter of a mile of Ballinaſloe; Dawſon paid ſix ſhillings and ſix-pence an acre, the witneſs did not know of any lands Dawſon had but theſe lands mentioned; the witneſs had he knows the worth of the lands, one of the houſes was of lime and ſtone; a Mr. Pilkinton offered the witneſs his lands for fifty ſhillings an acre, and they were as good as any about the neighbourhood; Dawſon got money for the ſtanding of ſheep in his garden, the fair was kept in the Galway ſide. The ſtate Dawſon's land was then, no man could make ten pounds a year profit

out

out of them; he could not tell whether Dawſon polled at the election.

William Buckly in confirmation, knew the lands of Portnick; the witneſs had an intereſt in a leaſe from Colonel Trench of eighty-four acres, he had made ſeveral demiſes to the widow Madden, and his leaſe was not expired; her holding was part of Dawſon's purchaſe. The widow Madden was to pay the witneſs, Buckly, thirty ſhillings a year; one Michael Carrol was the other tenant, and thoſe two held the whole of Dawſon's purchaſe; Carrol's leaſe was for years, and was made the ſame time with the widow Madden's, but renewed before it was ſold. The two rents were thirty ſhillings and forty ſhillings and ſix-pence; he would ſet the whole for thirty ſhillings an acre, and the ſum of three pounds ten ſhillings and ſix-pence was the whole rent Dawſon received. The witneſs was told the widow was turned out. He was croſs examined: There was no part of Portnick in Dawſon's hands, but Dawſon was to give the value of twelve guineas in liquor and ſhop goods for the intereſt in Portnick. The witneſs would give twenty pounds to Dawſon for his bargain; the witneſs was proceſſed by Dawſon, and Dawſon paid his, the witneſs's, debt, he, the witneſs, gave Dawſon the ſame leaſe he had himſelf, which was one ſhilling an acre, the witneſs did not know much about lands, he had

had lived a good while in Ballinaſloe; the tenants in that town make a vaſt deal of money of their lands at fair times; he thought Dawſon might make ten pounds of his lands. The witneſs lived in Dunlow, and had heard that Dawſon had two or three different lands, beſides thoſe he purchaſed from him, the witneſs, Dawſon did not hold any part of the lands himſelf, it was commonly ſet, a perſon might make ten pounds yearly, by ſelling bread and drink, &c. The witneſs ſold to Dawſon ſubject to the two leaſes he had mentioned, but Dawſon might have purchaſed the two perſons intereſt unknown to him. The witneſs voted for Mr. Crofton, but was ſummoned by Mr. Trench, and really wiſhed Mr. Crofton to ſucceed.

James Kelly proved the ſervice of the ſummons on Patt. Dawſon.

Hugh Mc. Keon was produced to diſqualify Patt. Gardener, who appeared to be entered No. 232, in the ſheriff's book, his abode Drummin, his freehold Aghnaſhwin, its value forty ſhillings a year, and to have voted for Mr. Crofton ſingly. He knew Patt. Gardener of Drummin, he could not prove his marriage, tho' the witneſs was father of Gardener's ſuppoſed wife; the witneſs was not by at their marriage; the witneſs's daughter lived with Gardener as his wife; the witneſs

witneſs gave a portion of about thirty pounds, with her to Gardener, after he had heard that they were married, and he would not have given the portion but that he ſuppoſed them to be married; they had children of ſix years old, and he went to viſit her ſometimes; his daughter was a papiſt, and the witneſs had often ſeen her at maſs. He was croſs examined: His name was Mc. Keon; his daughter was a papiſt; he was told his daughter was married by a popiſh prieſt; Gardener, her huſband, was a proteſtant; and was ſo when married; the thirty pounds portion were given to Gardener himſelf; the witneſs was never at any election; the witneſs brought his daughter up as a papiſt; he believed his daughter to have been married; a girl had told him, that ſhe was preſent at the marriage; and he, the witneſs, knew no other Drummin or Patt. Gardener.

John Lyons was produced to diſqualify Edward Walſh, who appeared to be entered No. 21, in the deputy's book, his abode Athlone, his freehold the ſame, its value ten pounds yearly, and to have voted for Mr. Crofton ſingly. He was very well acquainted with Edward Walſh of Athlone, he knew him fourteen or fifteen years, his houſe was on the eſtate of the Earl of Belvedere; Anthony Limor lived in the houſe, and the witneſs always heard that he took the houſe from the heirs of

Anthony

Anthony Limor; he knew Walſh's hand writing and had ſeen him write a hundred times.

Here a letter was produced, and the ſame witneſs ſworn, he believed the letter to be Edward Walſh's hand writing, when the letter was partly read, Counſellor Boyd objected to its being admitted in evidence, as the direction was effaced; Counſellor French contended as the direction had no reference to the ſubſtance of the letter, as far as it concerned the queſtion before the committee, it was admitted, the room was cleared, and the committee determined that the letter being mutilated ſhould not be received in evidence.

John Lyons was again produced; he knew that Walſh had a leaſe of lives on the Royal Baſtion, for three pounds eight ſhillings, he had it from Mr. Fry. Mr. Walſh had built two or three little cabbins on the premiſes; one of them was ſet for five pounds, he believed another was ſet for the ſame rent, he did not know whether three pounds or not, has another leaſe of the ſame ground, of about four pounds rent from Mr. Fry; there were walls of two untenanted cabbins on the ground, he believed there were thirty-eight or forty feet ſquare of waſte ground to the two houſes; the whole of the lands in the laſt leaſe lies waſte; Mr. Walſh had a great many places and ſtables in and about the lane, near his own houſe and in Sir

Richard

Richard St. George's lane. He was croſs examined; Walſh had not ten pounds a year by the firſt leaſe; there might be a third cabbin which was worth five pounds; Walſh had a hall room where there have been aſſemblies held, and Walſh muſt make a profit of thoſe aſſemblies; there were ſeveral ſtables, and if they were to be ſet, the witneſs was ſure, they would be worth twenty pounds a year to a perſon in Walſh's buſineſs.

Thomas Ganly was again produced to diſqualify Patt. Murray, who appeared to be entered No. 234, in the ſheriff's book, his abode the church of Creagh, his freehold the ſame, its value ten pounds yearly, and to have voted for Mr. Croſton ſingly. The witneſs knew one Patt. Murray that lived in Ballinaſloe, he had heard Murray was dead; Murray had lived between the bridge and the church, and always appeared to be a poor man; Murray was a ſawyer; the witneſs did not know Murray to work but two years; the witneſs never ſaw Murray begging, but Murray never appeared to him worth ten pounds a year; the witneſs did not know Murray to have received alms, but had ſeen him attend maſs very often like any other, and ſeldom miſſed ſeeing him there. He was croſs examined. The witneſs did not ſee any man from Ballinaſloe vote at the election, another Patt. Murray might have voted for what he knew, who might have been worth ten pounds; was ſure there was not

a ten pound freeholder between the church of Creagh and the bridge; there might have been a perſon of the name of Knight a ten pound freeholder, from the town of Ballinaſloe; the witneſs lived in Mullingar eighteen or twenty years; Captain French might have made many leaſes unknown to the witneſs; one part of Creagh up to the church was Captain French's, the part of Creagh beyond that was Mr. Brabazon's; the witneſs believes age prevented Murray from working; he believes it was fifteen or ſixteen miles from Ballinaſloe to Roſcommon, the witneſs did not know how Murray got to Roſcommon; the church ſtood on Captain French's part of Creagh.

Thomas Morgan was produced to the ſame purpoſe. He was acquainted with Patt. Murray who lived near the church of Creagh; Murray was a ſawyer, and was dead, he was an old man unable to walk without a ſtick, and was unable to work a good while before he died; the witneſs had ſeen Murray get charity, but never heard him aſk charity; he had ſeen Murray with other poor men; Murray lived in a cabbin on the road ſide, which belonged to Mr. Pilkington; Murray planted his potatoes in other people's land. He was croſs examined: The witneſs was not informed what evidence he was to give, he polled at Roſcommon, and knew all the Murrays who have freeholds in Roſcommon, near the church of Creagh;

had

had heard the land the church ſtands on was Mr. Brabazon's; he thought Colonel Trench could not have made a leaſe in Creagh unknown to him; he knew all the freeholders of Creagh, and Patt. Murray to be two years unable to work; Murray was an honeſt man; the witneſs never had heard Murray had voted till he came to town this time, Ballinaſloe, Shannon, Ardeamy ten pounds Shannon and polled for Mr. Crofton ſingle.

Thomas Ganly was produced again to diſqualify Charles Dunleavy, who appeared to be entered No. 18, in the deputy's book, his abode Ballinaſloe, his freehold Ardeamy, of the value ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted for Mr. Crofton ſingly. The witneſs was well acquainted with Charles Dunleavy, and knew a woman who was reputed to be his wife, ſhe always went to maſs during the time the witneſs lived at Ballinaſloe; the witneſs had ſeen her at maſs a good many times, he had ſeen her at maſs before the election, he did not know her parents. He was croſs examined: The witneſs could no take upon him to ſay that Dunleavy had polled at Roſcommon; he believed Dunleavy to be a papiſt, and never knew him to be any thing but a papiſt, had often ſeen him at maſs, and had heard the prieſt aſk Dunleavy for the rent of the chaple.

John Lyons was again produced to diſqualify Patt. Dunn, who appeared to be entered No. 411, in the ſheriff's book, his abode Athlone, his freehold the ſame, its value ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted for Mr. Crofton ſingly. He knew Dunn, had ſpoken pretty often to him, the witneſs always conſidered Dunn to be a very poor man; Dunn ſold huxtry, and lived in a tolerable good houſe worth ten or eleven pounds a year; the witneſs never knew Dunn to have land or garden in Athlone, and had heard from Dunn himſelf, that he had polled. He was croſs examined: The witneſs thought if Dunn had ten pounds a year, he, the witneſs, ſhould have known it, the houſe he Dunn lived in, was worth ten pounds a year; Dunn told the witneſs he had polled, and was not ſworn, and that his freehold was good, as he paid no rent for his houſe, and made by his induſtry about ten pounds a year, no decent perſon would have lodged in Dunn's houſe; the witneſs never heard that Dunn had a leaſe under Sir Richard St. George.

Thomas Burke proved ſervice of Patt. Dunn, had given the original to Patt. Dunn through miſtake.

The Revd. James Marſhall was produced, the counſel for the petitioner, having declared their intention

intention of deſiring Mr. Marſhall to produce his leaſe, and the counſel for the ſitting member objected thereto. The room was cleared, and the committee entered into the following reſolutions, of which the counſel after being called in were informed, viz.

1ſt. "That no man ſhall be obliged to produce "any title, deed or leaſe under which he claims "to vote againſt, but may with his conſent."

2d. "That counſel ſhould not be permitted to "examine Mr. Marſhall with regard to his own "vote." The Revd. Mr. Marſhall was thereupon diſmiſſed.

Eneas Magrath was produced to diſqualify Morgan Curry, who appeared to be entered No. 35, in the deputy's book, his abode Caſtlerea, his freehold the ſame place, its value ten pounds yearly, to have taken the bribery, freeholders and popery oaths, and to have voted for Mahon and Crofton. The witneſs was acquainted with Morgan Curry, Curry died ſince the election, he had polled out of Mr. Sandford's eſtate; the witneſs was employed as agent to Colonel and Mr. Sandford; he knew Thomas Curry, who was the reputed ſon of Morgon Curry, and knew moſt of the tenants of Colonel Sandford's land, he made leaſes of plots to Morgan Curry, he was witneſs to one leaſe of Morgan Curry's, the leaſes are for lives, (of two

or

or three plots); he could not recollect what rent was reſerved to Mr. Sandford, but thought two pounds two-pence was the rent of one plot, he did not recollect the rent of the other plots, but believed two pounds two-pence was the rent of the worſt plot, and is a leſſer rent than was paid for the other plots, by a great deal, he believed the rent reſerved amounted to ten pounds, and had regularly received the rent half yearly from Morgan Curry while he lived; one rent was two pounds two-pence, the other he believed was ſeven pounds at leaſt; two pounds two-pence, was the rent of the plot at the market place, in the centre of the town, he could not tell whether there was more than one houſe on the plot; the tenants go to him, the witneſs, to pay their rent; he could not aſcertain the value of the plot to Morgan Curry; Thomas Curry lived in one of the houſes. He was croſs examined: It was a ſmall town; there was a market place in it; Morgan Curry built houſes, which were occupied by tenants, and lived in one of them himſelf; the witneſs thought Curry propoſed ſpending ſixty pounds in buildings on the plots; Morgan Curry kept a ſhop in Caſtlerea; he was reckoned for many years a very decent man, but turned out a dram drinker lately; he had built a houſe according to his propoſal, and was certain he had more than ten pounds a year profit out of his leaſes; Curry gave

Colonel

Colonel Sandford's poor tenants ſubſiſtence while in Roſcommon, by the Colonel's directions; Martin Flanagan and James Flanagan were both (as he, the witneſs, had heard,) little ſharping fellows, and not good; the witneſs had heard Edward Mahon's general character to be very bad, both before and ſince the election, the witneſs would not know him were he to ſee him; there were many perſons that he had heard ſpeak of Mahon, who called him a bad fellow, and never heard any perſon ſpeak well of him, Mahon; the witneſs knew James Flanagan, his father was tenant to Colonel Sandford; the witneſs gave one of the Flanagan's half a crown; he did not know which of them, or whether he gave it to them both, gave it to them as tenants of Colonel Sandford, and as his freeholders who came to vote at the election; he had never heard that Flanagan was diſhoneſt, but had heard him called peeviſh and knaviſh. He was re-examined. The witneſs had heard Mr. Young, Thomas Magrath, Mr. Walker, Mr. Cotter ſay, Mahon was a bad fellow, had heard Mr. Young ſay he was brought before him, for harbouring pick-pockets; had heard from Walker, the apothecary, in Caſtlerea, and others, that he, Mahon, was ſuſpected for coining; Mr. Young, he believes, would do his duty in an official way, but would not ſeek it out; the witneſs could not form any belief

belief whether Mahon were guilty or not. Mr. Young was a magiſtrate at the time of Mahon being ſuſpected; the people that he, the witneſs, converſed with, believed the ſuſpicion; the witneſs did not know why Mahon left Caſtlerea; the witneſs knew James Flanagan, but was not well acquainted with him, he did not know any bad tranſaction of Flanagan. Martin Flanagan was a ſervant to Colonel Sandford, when he left him, the Colonel gave him, Flanagan, a farm and plots; the witneſs heard that one of his, Flanagan's, ſons, regiſtered a leaſe under his father; James Flanagan has paid the witneſs his father's rent, he believed Flanagan had but two ſons; the witneſs gave he believed, half a crown to both the Flanagans; the witneſs made no diſtinction between the tenants. Colonel Sandford's general directions were to ſubſiſt the poor freeholders; he had heard within theſe few days, and not before, that Flanagan had been promiſed a place; he believed Mr. Sandford was at no other expence on his tenants account, but their ſubſtance, and Mr. Sandford paid them by his agent; he had heard that James Flanagan complained of ill treatment from Mr. Crofton; the witneſs had never heard that Mr. Crofton gave any entertainment at the election.

Eneas

Eneas Magrath was again produced to diſqualify Hugh Satchell, who appeared to be entered No. 390, in the ſheriff's book, his abode Caſtlerea, his freehold of the value of ten pounds yearly, to have taken the freeholders oath, and to have voted for Mahon and Croſton. He knew Hugh Satchell of Caſtlerea; Satchell held a plot under Mr. Sandford, who brought an ejectment againſt him for non-payment of rent; Satchell did not redeem his land; the witneſs had promiſed the land to Satchell's ſon at the ſame rent; the witneſs did not believe it worth ten pounds, and would not give it for it. He was croſs examined: There was a year or two rent due to Mr. Sandford by Satchell, and Mr. Sandford was obliged to bring an ejectment to get his land; Satchell was ejected ſince the election; the arrear had never been paid, nor ever would, as he, the witneſs, believed, he had no other lands in the county Roſcommon, and the witneſs did not think any perſon would give ten pounds a year profit for Satchell's intereſt.

Eneas Magrath was again produced to diſqualify John Cavanagh, who appeared to be entered No. 361, in the ſheriff's book, his abode Roſcommon, his freehold Caſtlerea, of the value of forty ſhillings yearly, to have taken the freeholders and popery oaths, and to have voted for Mr. Croſton. The

witneſs knew John Cavanagh who had a freehold, he was dead, and had died ſince the election; the witneſs had aſked his mother about Cavanagh in laſt November, when he was told by her that he was dead; the witneſs knows no other freeholder of the name of John Cavanagh, and knew nothing more than that he was a freeholder in Caſtlerea; he believed that John Cavanagh polled at the election, he had ſince the election regiſtered as a forty ſhilling freeholder; the witneſs believed he lived in Caſtlerea at the time of the election. Cavanagh was nephew to one of the ſame name.

Eneas Magrath was again produced to diſqualify Thomas Curry, who appeared to be entered No. 158, in the ſheriff's book, his abode Dublin, his freehold in Caſtlerea, of the value of ten pounds yearly, and to have voted for Mr. Crofton ſingly. He knew Thomas Curry of Caſtlerea, the ſon of a freeholder of the name of Morgan Curry, of whom he had before given evidence. The witneſs knew of no holding that Thomas Curry had in Caſtlerea, but knew that he had a farm from Colonel Sandford, it was a leaſe for lives; the farm he held was no part of Caſtlerea. Thomas Curry might have a leaſe under his father in Caſtlerea, without his knowledge, but he believed his intereſt not worth ten pounds a year to Thomas Curry, he had about twenty-ſeven acres, at one pound an acre, Iriſh plantation meaſure.

Caleb

Caleb Payne was produced to diſqualify James Dillon, his abode Ballinaſloe, his freehold Killihorney, its value ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted for Mr. Croſton ſingly. He knew a man of the name of James Dillon, that lived in Ballinaſloe, at the time of the election, he was a ſervant to Neptune Lynch a year before the election, he believed he was not in the ſervice of Neptune Lynch at the time of the election; he knew there are ſuch lands, but did not know where they were. The witneſs did not think he was a receiver of rents out of Killihorney. James Dillon lived in a houſe oppoſite David Power's, that would let for three pounds a year, he lived there with his wife and mother-in-law; he had never heard that James Dillon had any mode of living but as a ſervant, except that he ſometimes ſet lodgings in Ballinaſloe.

Thomas Ganly was produced in confirmation to diſqualify James Dillon. He knew one James Dillon in Ballinaſloe, next door to David Power's. Dillon was employed as a ſervant to Mr. Lynch; ſomething better than twenty-ſeven years ago; Dillon had a houſe which his mother-in-law gave him upon his marriage, as a portion; he knew no other freehold Dillon had; he knew Killihorney, it belonged to George Brabazon, he did not know that he had any intereſt in ſaid lands. He

croſs examined: He had never ſeen the leaſe, and knew only from Moore, who told him, that he had taken it from Mr. Brabazon.

Mr. Buckley was produced to diſqualify Patt. Kelly, who appeared to be entered No. 20, in the ſheriff's book, his abode Ballinaſloe, his freehold Portnick and White-park, its value ten pounds yearly, to have taken the bribery, freeholders and popery oaths, and to have voted for Mr. Crofton ſingly. The witneſs knew ſeveral Patt. Kellys, knew Portnick, there were two or three Parks called White-park, he had an intereſt in a leaſe of lives of all Portnick, he had no intereſt in White-park; Captain Trench is his landlord of Portnick; one Mr. Mc. Donagh holds all but one acre, three ridges, and twenty-one perch, which is let to Michael Carrol, and one acre to the widow Madden. The witneſs did not know whether Mc. Donogh was a proteſtant, or was not. He was croſs examined: Mc. Donagh had the ſame leaſe with the witneſs, Buckley, who had two lives in being; Mc. Donagh had other good leaſes under Captain Trench.

Luke Kelly was produced in confirmation to diſqualify Patt. Kelly. He knew Patt. Kelly, had ſeen him often at maſs, before and after the election, ten or twelve times. The witneſs was at the laſt general election and ſaw Kelly poll there.

there. He was croſs examined: He was himſelf a papiſt, he was a wig-maker, was married, and his wife did not live with him, he never got a penny with her; he did not ſee any Patt. Kelly vote but the one; he never had had any diſpute with Patt. Kelly; he never had heard that Kelly went to church; never ſaw him receive the ſacrament at maſs. It was agreed that but one Patt. Kelly polled at the election.

John Lyons, Junior, to diſqualify James Dalton, who appeared to be entered on the ſheriff's book, No. 193, his abode Kiltoom, his freehold Knockincomer, of the value of ten pounds yearly, and to have voted for Crofton and Kelly. The witneſs knew one James Dalton, who was an out penſioner, who lived at Kiltoom three years, he had ſeen him about three months ago, he had ſeen him twenty times ſince the election. Dalton owed him money, and had given him, the witneſs, his penſion bill, to take half of it out of it, and Dalton ſaid it would diſtreſs him, if he, the witneſs, were to take more, and Dalton told the witneſs, if he could ſee Mr. Crofton he would borrow the remainder, for he voted for him, Mr. Crofton, at the election, and that he thought he would lend him ſo much. The witneſs aſked Dalton where he had his freehold, and Dalton ſaid he voted out of Knockincomer, and had a ten pound freehold there; the witneſs aſked him, Dalton, if he had

a ten

a ten pound freehold, why he ſhould be diſtreſſed to pay him, Dalton ſaid then that though he voted out of that place that he had no freehold there, but that he thought his penſion and his induſtry were a very good ten pound freehold; his penſion was ſeven pounds eighteen ſhillings and two-pence halfpenny. He was croſs examined: The above converſation had taken place ſince the election, it might be half a year after, the witneſs mentioned this converſation to Mr. Thurles ſince he came to Dublin, and had never mentioned it before, he did not think the mentioning of this converſation might have been of any conſequence, knew nothing of Dalton's polling, but from his own account; Dalton might have told him a falſehood concerning the freehold, to put off the payment of his debt; he truſted him the remainder of the money, permitted him to go without paying him, and took no ſtep to enforce the payment of this money ſince that time, but did before he had the converſation reſpecting the election with Dalton.

Daniel Lyons was produced to diſqualify William Talbot, who appeared to be entered No. 402, on the ſheriff's book, his abode Bellogh, his freehold the ſame place, its value ten pounds yearly, to have taken the freeholders oath, and to have voted for Mr. Crofton ſingly. The witneſs knew William Talbot of Bellogh, a woman

lives

lives with him who was reputed to be his wife, had ſeen her at the chapel eight or ten times, and believes her a papiſt, had ſeen her at maſs before and after the election, ſhe was looked upon by the neighbours to be a papiſt. He was croſs examined: He could not ſay ſhe was the wife of Talbot; the witneſs never received a farthing from Mr. French; he did not know him 'till he came to town; he was ſummoned by a man of Mr. French's, who had left the ſummons and a ſhilling at his houſe; the witneſs did not ſee a farthing given to any perſon; did not receive a farthing before he came to town, nor ſince, concerning the election; never ſaw Mr. Talbot receive the ſacrament; the witneſs frequents St. Peter's and St. Mary's chapel; Mrs. Talbot frequents St. Peter's; ſaw her at both chapels; never heard of Mrs. Talbot going to church; her firſt child was about two or three years old; the witneſs never heard of the prieſt carrying the ſacrament to her after lying in.

Luke Kelly in confirmation to diſqualify William Talbot. He knew William Talbot of Bellogh, Talbot was at the election of Roſcommon, and polled at it for Mr. Crofton. He was croſs examined: The witneſs was in Roſcommon during the election; had ſeen William Talbot poll in Mr. Mills's court; he polled he believed about the middle of the week, but could not tell whether

it

it was the firſt or ſecond week, nor how long the election laſted; he believed the election continued after he left Roſcommon; is ſure he was in Roſcommon between one and two days after he polled; the election was going on when he went to Roſcommon; he was in the Court-houſe an hour before Mr. Talbot polled; he had ſtayed till two other perſons had polled; he had no particular reaſon to ſtay to ſee Talbot polling, and ſaw him by accident poll; the witneſs went into the Court-houſe every day he was in Roſcommon; he ſaw many perſons poll but did not know their names; he knew Mr. William Talbot of Mount Talbot, and was ſure he was not the perſon that polled, he did not recollect any other perſon that polled, becauſe he did not know them.

William Weſt was produced in confirmation to diſqualify William Talbot. He knew William Talbot; he knew but one perſon of that name, he ſaw him poll at the laſt election; Talbot was a butcher; the witneſs was not there at the commencement of the election, he was there on the laſt day of the election, he could not be particular when Talbot polled, he believed it was on the laſt two or three days, perhaps on the laſt day, but could not be poſitive. He was croſs examined: He lived in Boyle, which is twenty-three or twenty-four miles from Roſcommon; he knew Talbot to live in Boyle, and believed he never had a vote,

for,

for he, the witneſs, knew him, Talbot, to behave like a vagabond, when he lived in Boyle; the witneſs never heard that Talbot had voted at the election in 1768; he had converſation with ſeveral perſons reſpecting the evidence he was to give within this half hour; he knew Talbot ſix or eight months before he left Boyle; he did not know where he, Talbot, then lived, and could not ſay he, Talbot, had no freehold in Billogh, and did not recollect to have ſpoken to Talbot ſince the election.

Thomas Reeves was produced to diſqualify James Dillon. He knew James Dillon that lived in Ballinaſloe, he did not know any James Dillon having lands in Killiharney, which is a wood; the witneſs never knew any James Dillon to have any lands in Killiharney, which is Mr. Brabazon's eſtate. He knew Mr. Brabazon had ſet Killiharney to Patt. Moore, after the wood was cut, he was witneſs to the leaſe made to Patt. Moore for twenty-one years; the witneſs had his land for two years laſt May, and Patt. Moore got his part of the lands on the ſame day with the witneſs, and Mr. Brabazon never lets his eſtate for a longer time than twenty-one years. He was croſs examined: The witneſs was not at the election; he did not know whether James Dillon polled or not; the part of Killiharney he knew was a wood;

there are lands about it but he did not know their denominations, he did not know the meares or bounds of Killiharney; there was but one Killiharney; the wood was in Mr. Brabazon's own hands; the witneſs believed Patt. Moore payed thirty ſix pounds a year, for what he held of Killiharney; he thought if James Dillon had a freehold in Killiharney, he, the witneſs, ſhould have known of it.

Jonathan Garett was produced to diſqualify John Gaven, who appeared to be entered No. 304, in the ſheriff's book, his abode Knockereghery, his freehold Scregg, its value ten pounds yearly, to have taken the freeholders oath, and to have voted for Mr. Crofton ſingly. The witneſs knew John Gaven, had ſeen him at the election and the aſſizes, had a converſation with him, to the following effect. Gaven aſked him, the witneſs, could he ſettle him in the county Mayo ſide, as he had done things, made him wiſh to leave the county of Roſcommon; the witneſs thereon aſked him why he wiſhed to leave the county of Roſcommon, where he had a ten pound freehold; Gaven anſwered laughing, that he had no freehold in the world; the witneſs told him he would ſet him a plot for three years, but that if he, Gaven, returned to Roſcommon, he, the witneſs, muſt have it again. Gaven then took out a halfpenny and gave

it

it to the witneſs as earneſt. He was croſs examined: He, the witneſs, lived in Galway, Galway was forty-four miles from Knockeroghery, the witneſs had been at Knockeroghery four or five times, and had the converſation with Gaven laſt March; Gaven told the witneſs he repented having voted for Mr. Crofton, and therefore would leave the country as the neighbours reflected on him for ſo doing; the witneſs never told any one this converſation before he was ſummoned; it was in Galway he was ſummoned, and was aſked by the man that ſerved the ſummons, if he could give any evidence, he had no reaſon to know why he was ſummoned; there was no perſon preſent when Gaven agreed to take the plot from him; he had ſeen Gaven at Knockroghery three or four days before the converſation took place; had ſeen him laſt March, and never ſaw him ſince; the people found fault with Gaven for having voted at all; he, the witneſs, was never employed by either Mr. Crofton or Mr. French, he was employed at the time of the election of Galway; a gentleman ſent for the witneſs, and his wife anſwered, he would be at home that night, the gentleman left orders that he ſhould go down to the gentleman's houſe, to Captain Fitzgerald; he went there, and Captain Fitzgerald prevailed on him to go to Roſcommon, he got

there on Saturday morning; they went to Nicholas Malone's, as he was ſtanding at the door, Mr. French came up to him, and aſked him did he know where Captain Fitzgerald was; he ſaid up ſtairs dreſſing, Mr. French went up to him; he, the witneſs, remained a part of that night in Roſcommon, the witneſs was ſent back by Captain Fitzgerald on pretences of getting freeholders; he, the witneſs, brought thirteen men to poll for Mr. Crofton; he ſaw no drums or trumpets before them as they entered the town; the thirteen men were from Mayo, he did not ſee them poll, nor hear them aſked to poll; the witneſs did not go to Roſcommon to ſerve Mr. Crofton; there were two Collins among the perſons he brought, and one Bob, and Abraham and Joſeph Acton, and Chriſtopher Phaire, were people recommended by each other, they got a guinea a piece to bear their expences; the witneſs went from Roſcommon to Mayo, to countermand more perſons who were coming up; the witneſs never heard of their polling, nor ſhould he have known it but from their own jokes upon each other; he could not tell what they got the guinea for except it was to carry them home; the witneſs did not poll at the election.

Nicholas Carey ſworn, proved ſervice on John Gaven. John Gaven called, did not appear.

John

John Caulfield was produced to diſqualify Patt. Fury, who appeared to be entered No. 47, in the deputy's book, his abode Ballinaſloe, his freehold of the value of ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted for Crofton and Kelly. The witneſs knew Patt. Fury of Ballinaſloe, was well acquainted with him, he knew Gurtnoble near Ballinaſloe; Ned Doyle had theſe lands near twenty years, he did not know what intereſt Doyle had in theſe lands; John Moore had the lands after Ned Doyle. Joſeph and John Moore were in law for thoſe lands, Jo. Moore recovered the lands. James Kelly was in poſſeſſion of thoſe lands ſhortly before the election; Jo. Moore was owner of the lands of Gurtnoble. The witneſs ſaw James Kelly at maſs often. He was croſs examined: He did not know whether James Kelly or his ſon had Gurtnoble; he knew Michael Geraghty in Athy; Michael Geraghty deſired him, on his peril, to come when he was ſummoned, he got three guineas to bear his expences to town; the witneſs lived twenty miles below Athy; was ſummoned in Athy, he was a ſtonelayer; he was told he would get more money, but he did not; a Taylor in Athy, told him he would get ſeven guineas more; he received the ſummons in the ſtreet, and got thirty-nine ſhillings in a houſe, it was not Mr. Geraghty's

Geraghty's houſe, he knew William Geraghty's houſe in Rooſkey.

Peter Gibbon in confirmation of the diſqualification of Fury. He knew one Patt. Fury in Ballinaſloe, who was married to his ſiſter, is a taylor, the witneſs knew the lands of Gurtnoble, he did not know that Fury had a freehold, he might, and might not have had a freehold, without his, the witneſs's, knowledge. The witneſs was very well acquainted with the beſt, but not with the indifferent ſort of people in Ballinaſloe.

Thomas Burke proved ſervice on Patt. Fury in perſon.

Daniel Lyons was produced to diſqualify James Hawkins, who appeared to be entered No. 14, his abode Creagh, in the pariſh of Drum, his freehold the ſame, its value ten pounds yearly, and to have voted for Mr. Crofton ſingly. He knew one James Hawkins who lived in Creagh, in part of Drum, he believed Hawkins to be married; the witneſs knew a perſon that went under the repute of his wife; he was pretty well acquainted with her, and had often ſeen her at maſs, had ſeen her before and ſince the election at maſs. He was croſs examined: He had ſeen Hawkins's wife at maſs; he believed Hawkins to be a proteſtant; the witneſs was a papiſt himſelf; he could not ſay any thing as to their marriage, but they had kept together

together as man and wife, twenty-one or twenty-two years; the witneſs did attend the Houſe of Commons on a contended election in 1768, but did not get twenty guineas for his attendance; Hawkins had children; he dont know to what place of worſhip they went, but never ſaw them at maſs.

Thomas Reeves was produced to diſqualify William Mathews, who appeared to be entered No. 37, in the deputy's book, his abode Ballinafloe, his freehold Cleagh, of the value ten pounds yearly, and to have voted for Mahon and Croſton. The witneſs knew a William Mathews of Ballinafloe or Dunlow, he knows the part of Cleagh, Mathews had a leaſe of two acres of meadow of Cleagh, from Captain French; the witneſs was offered the ſame kind of meadow for twenty ſhillings an acre, he believed it to be a leaſe for lives, and heard that Mathews paid ten ſhillings and three-pence an acre. He was croſs examined. The witneſs bought* meadow for three pounds an acre.

Thomas Morgan in confirmation. He knew one William Mathews of Ballinafloe, he knows Cleagh, William Mathews has two acres of Creagh Gorrow. Creagh ſets ſometimes at twenty-four,

* Bought is a proviſcial expreſſion for the rent paid in Connaught.

at

at twenty, at ſeventeen, and at twelve ſhillings an acre; the witneſs holds a ſhare of the ſame meadow, within four acres of William Mathews's holding. Mathews's holding is not better than the witneſs's. He was croſs examined. The witneſs never ſurveyed Mathews's holding; Captain Trench had it ſurveyed; Mathews could not have more than two acres in that place without his knowledge; Captain Trench made leaſes of one, two, three, and four acres, but the witneſs could not ſay it was to create votes.

James Lally ſworn, proved ſervice on William Mathews in perſon.

James Lally ſworn to diſqualify William Bowen, who appeared to be entered No. 38, in the deputy's book, his abode Shraharee, near Ballinaſloe, his freehold Shraharee, of the value of ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted for Mr. Crofton ſingly. He never knew any perſon to live in Shraharee, he was bred and born within half a mile of it. Captain Trench was in poſſeſſion of theſe lands before the election, and his father Richard Trench was in poſſeſſion before him. Captain Trench was in poſſeſſion of the lands ſince the election. The witneſs ſaw the ground every day. William Bowen was a linen weaver, who had ſerved his time between the two bridges.

Shraharee

Shraharee was about an Engliſh mile from Ballinaſloe; the witneſs never knew any other land of the name of Shraharee, and could not but be well acquainted with the lands where he was bred and born. He was croſs examined: The witneſs was a papiſt; he never voted at any election; he went to Roſcommon to vote; he did vote in Galway; Colonel Trench was in poſſeſſion of Shraharee theſe three years; part of the meadow was cut laſt ſummer for Captain Trench; there were not various Shraharee; they lie in Roſcommon, two miles and a half from Captain Trench, who had a great deal of meadows about his houſe in the Galway ſide of Ballinaſloe; the witneſs ſaw the meadow cut laſt ſummer by Captain Trench's tenants and brought to Garbally. He was re-examined and ſaid, he did not recollect himſelf when he ſaid he never vated. It was ſeven or eight years ſince he polled in Galway.

Mathew Mc. Donagh was produced to diſqualify Thomas Heritage, whoſe abode appeared to be Ballinaſloe, his freehold Portleg, of the value of ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted for Mahon and Croſton. The witneſs let his lands to ſeveral tenants, but had no tenant on his lands of the name of Heritage, he knew no other lands called Portleg, and has made no leaſe whatſoever for lives, nor any but for terms of years. He was

croſs examined: There might be other lands called Portleg in the county of Roſcommon; the witneſs never heard of any perſon of the name of Thomas Heritage, and did not hear 'till he came to town of Heritage having voted out of Portleg.

James Lally proved ſervice on Thomas Heritage in perſon.

William Buckley in confirmation, knows Thomas Heritage in Dunlow, he did not know whether or not Heritage had a freehold, he had no converſation with Heritage about the election, nor did he hear him, Heritage, ſpeak to any perſon about it. He did not know any Thomas Heritage but the one, Heritage was a ſleater. He was croſs examined: Heritage lived in the real Dunlow, about five hundred yards from the hill of Ballinaſloe in Roſcommon; Dunlow was in Galway; he knew of no lands Heritage had; Heritage had come to Dunlow about three years; the Dunlow and Ballinaſloe fairs are both held on the ſame green.

Thomas Reeves was produced to diſqualify John Mathews, who appeared to be entered No. 39, in the deputy's book, his abode in the town of Galway, his freehold Cleigh, of the value of ten pounds yearly, and to have voted ſingly for Mr. Croſton. The witneſs knew John Mathews and William his father; he believed the father or ſon had

had a good freehold in the town of Ballinaſloe, and believed he, or one of them, had a park in Cleigh, he did not know any man of the name of Mathews who had a freehold in Cleigh. The John Mathews he knew was a hatter by trade, he believed there is no man of the name of John Mathews who have a freehold in Cleigh, without his, the witneſs, knowledge. He was croſs examined: The place he was ſpeaking of was Creagh; he did not believe that John Mathews had a freehold in Cleagh Gorrough; Mathews lived then in the town of Ballinaſloe. John Mathews was born in Ballinaſloe, and was apprentice in Galway to his uncle, and the witneſs believed he was three years ſet up for himſelf in Ballinaſloe; Cleigh was Mr. Brabazon's eſtate; Cleigh Gorrow was Captain Trench's; the witneſs never held under Mr. Brabazon, who told him he could not give more than twenty-one years, but would renew whenever he aſked him; the witneſs knows not Mr. Mathews to have any lands from Mr. Brabazon; William Mathews held fifteen acres in Paulby, in the county of Galway, from Mr. Trench.

James Lally proved ſervice on John Mathews in perſon.

Caleb Payne produced to diſqualify Chriſtopher Dixon, who appeared to be entered No. 18, in the deputy's book, his abode Suckfield, in the county of Roſcommon, his freehold of the value of

ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted for Mr. Crofton ſingly. The witneſs knew Chriſtopher Dixon of Suckfield, he was a daily labourer to the witneſs, at the time of the election. Dixon had no freehold, and the witneſs thought he could not without his knowledge. The witneſs gave Dixon his victuals and ſix-pence halfpenny per day, (the wages of a labourer,) when Dixon was firſt queſtioned about voting, he denied that he had polled, but when the witneſs had heard that his name appeared in the poll-book, and ſpoke to him about it, he, Dixon, ſaid he was very unfortunate in having done ſo, and begged that the witneſs would make intereſt not to let him, Dixon, be ſummoned for ſo doing, and the witneſs told Dixon if he, the witneſs, could prevent his being puniſhed he would. Suckfield was the eſtate of Mr. French; the witneſs conducted Mr. French's freeholders to vote; ſome of Mr. French's freeholders expreſſed a deſire to poll for Mr. Crofton, and did poll for him; the witneſs did remember that Thomas Morgan expreſſed a deſire to vote for Mr. Crofton, Thomas Flanagan ſaid he would wiſh to vote for Mr. Crofton, but that he would vote for his landlord; to be ſure Mr. French bore the expences of his own freeholders; one Evans went with the witneſs to Roſcommon, he, the witneſs, paid a bill for Mr. French's freeholders, by Captain

French's

French's desire; one Lee was told by the witness that he, the witness, would wish that the freeholders would leave town rather than behave in so drunking and riotous a manner.

George Hamilton, Esq; knows Christopher Dixon, and the lands of Suckfield. Dixon had no interest in Suckfield, he had a house without a roof, which he got him leave to live in.

Thomas Burke proved service on Christopher Dixon's wife.

John Caulfield was produced to disqualify Michael Lennon, who appeared to be entered No. 277, on the sheriff's book, his abode Carrowpaden, his freehold Lispheline, its value ten pounds yearly, to have taken the freeholders, popery and bribery oaths, and to have voted for Mr. Crofton singly. The witness knew Michael Lennon of Carrowpaden, who voted at the election, had seen him several times at mass before the election, and once since, knows Lennon's father, he was a papist, he never saw Lennon at confession. He was cross examined: The witness lived in Doon, in the county of Galway; Michael Lennon lives in the parish of St. John; the witness never was at the election, did not see Michael Lennon vote at the election; the Michael Lennon (that he knows) lived in Carrowpaden; did not know where he lived at that time he knew him; he, the witness, lived in Kiltoom.

John

John Gatly was produced to diſqualify Ralph Senior, who appeared to be entered No. 19, in the deputy's book, his abode Ballinaſloe, his freehold Knockawncool, of the value of ten ponnds yearly, to have taken the popery and freeholders oaths, and to have voted for Mr. Crofton ſingly. The witneſs knew Ralph Senior, he knew Portnick, knows Knockawncool, it is part of Portnick, he did not believe that Senior had any freehold there, he, the evidence, was bred and born there, and was well acquainted with Senior, and never heard that Senior had any lands. He was croſs examined: He was twenty-three years of age; a freehold was a quantity of land aſſigned to a perſon, whereby he had a benefit of ten pounds or forty ſhillings ariſing to him thereout.

Stephen Laurence proved ſervice on Ralph Senior in perſon.

Edward Mahon was produced to diſqualify Henry Satchell, who appeared to be entered No. 390, on the ſheriff's book, his abode Caſtlerea, his freehold in the ſame place, its value ten pounds yearly, and to have voted for Mahon and Crofton. The witneſs knew Henry Satchell of Caſtlerea; Satchell had no freehold in Caſtlerea; the witneſs had ſome converſation with him, Satchell, the day he went to the election; Satchell told the witneſs he would go to poll for Mr. Crofton,

Crofton, but that he feared his landlord would be at the election, and his landlord knew that Mr. Satchell, had no freehold; the rent Satchell paid was three pounds or three guineas, to Mr. Henry Sandford his landlord. Satchell was ejected and the land inpeset for the same rent. He was cross examined: Young Mr. Sandford was Satchell's landlord, Mr. Sandford's father was then the landlord, the witness had heard that Gifflerea was given up to the son at the time of the election; the witness did not know whether Satchell was at the election, nor did he hear, Mr. Magrath was at the election, and had a right to know the freeholders; Mr. Magrath always afforded him, the witness, a good character until he came to town about the election.

John Wallace proved service on Hugh Satchell.

Robert Finn was produced to disqualify William Clarke, who appeared to be entered No. 37, in the sheriff's book, his abode Creagh, near Ballinasloe, his freehold Creagh, its value ten pounds yearly, and to have taken the popery, bribery and freeholders oaths. He did not know whether Clarke had any freehold or not, Clarke lived in Creagh, the witness lived under Captain Trench, the witness's father had a lease for lives of the whole lands of Creagh, from Captain Trench's father, the whole land and mills are in possession of him, the witness, and

and his ſtepmother; George Clarke the father of William Clarke, had a houſe and plot under him, the witneſs, for a crown a year, George Clarke was in poſſeſſion of it, and he, the witneſs, believed one Thomas Ganley lived in this plot at the time of the election, the witneſs was at the election of Galway, and did not know whether his ſtepmother made Clarke a leaſe or not. He was croſs examined: He believed the ſaid plot and houſe was ſet for above ſix pounds a year; there were two or three houſes on the plot, and about an acre in it, in a fine kitchen garden, and a very valuable lime and ſtone houſe; George Clarke had built the houſe; the witneſs did not know whom he would aſk for his rent; William Clarke's father was married to his, the witneſs's ſiſter, and William and George Clarke lived with the witneſs's ſtepmother; the plot was ſet to George Clarke or the ſon; the witneſs did not know by whom the lands were ſet to Thomas Ganley; the witneſs voted for Mr. French and Mr. Mahon; his ſtepmother's land was worth a great deal more than ten pounds a year, and ſhe, as he, the witneſs had heard, made over ſomething to William Clarke at the time of the election; he did not know whether William Clarke voted at the election, nor whether George Clarke voted at the election, but ſuppoſed William Clarke would not have voted if he had not a right; the plot was given by the witneſs's father to George Clarke for the life of his wife.

James

James Lilly proved ſervice on William Clarke.

Edward Mahon was produced to diſqualify John Cavanagh, who appeared to be entered No. 361, in the ſheriff's book, his abode Roſcommon, his freehold Caſtlerea, to have taken the popery oath, and to have voted for Mahon and Croſton. The witneſs knew a man of the name of John Cavanagh in Caſtlerea, he alſo knew a man of the name in Roſcommon, that was alive at the election, he knew a John Cavanagh that had lived in Caſtlerea, the John Cavanagh that he knew could not have had a freehold for theſe fourteen years without his knowledge. Cavanagh that lived in Roſcommon did not live in Caſtlerea theſe fourteen years.

John Thewles was here produced, was Clerk of the Peace for the county of Roſcommon, and was ſure there was no other John Cavanagh on the regiſter book, he produced the regiſtry book, John Cavanagh appeared to have been regiſtered the 13th of January, 1774; the witneſs was ſure the entry had been made at the Quarter Seſſions, he had an affidavit of Cavanagh's being regiſtered, which he produced. He was croſs examined: The witneſs had been ſeven or eight years Clerk of the Peace, the regiſtry book had been begun before he was Clerk of the Peace, he inſerted ſome leaves when the letter C was cut.

Edward Mahon was again produced, he, Mahon, could not tell how long John Cavanagh of Caſtlerea was dead, believed it was about two months before the election. The witneſs lived in Caſtlerea fourteen years, and two years in Dublin, and another year in Laneſborough. The John Cavanagh he knew in Caſtlerea, was a maſon, the John Cavanagh of Roſcommon was alſo a maſon, to the beſt of his, the witneſs's knowledge, the ſignature of the above affidavit was the hand writing of John Cavanagh deceaſed. The witneſs could not ſwear to the body of the affidavit being Cavanagh's hand writing; Cavanagh ſometimes ſpelled his name Cavendiſh, and ſometimes Cavanagh, and wrote his chriſtian name at full length.

Michael Cuttle proved the ſervice of ſummons on John Cavanagh.

Thomas O'Connor, Eſq; was produced to diſqualify Martin Donohue, who appeared to be entered No. 386, on the ſheriff's book, his abode Milltown, his freehold Toneatubber, of the value of forty ſhillings yearly, to have taken the popery oath, and to have voted for Mahon and Croſton. The witneſs knew Martin Donoghue, he knew the lands of Kelly's park, and Toneatubber were the ſame. Donoghue lived ſometime at Milltown, a long time ago the witneſs gave Donoghue a rent charge of forty ſhillings a year, of the lands

from

from out of Toneatubber. The witneſs's tenants have no leaſes for lives from him. He was croſs examined; He believed Donoghue had no freehold in any other lands called Toneatubber; the witneſs was applied to for his vote for Mr. French, General Giſborne wrote ſtrenuouſly to the witneſs to vote for Mr. French, was told Mr. French went among his, the witneſs's, freeholders to canvas, and was told Mr. French gave them ſome ſilver.

John Wallace proved ſervice on Martin Donaghue in perſon.

Thomas O'Connor, Eſq; was produced to diſqualify Patt. Donaghue, who appeared to be entered No. 35, in the ſheriff's book, his abode Milltown, his freehold Toneatubber, its value forty ſhillings, to have taken the freeholders and popery oaths, and to have voted for Mahon and Croſton. Patt. Donoghue was the ſon of Martin, the witneſs knew him, he gave Patt. Donoghue a rent charge of the ſame as the former to his father, never was Donoghue threatened before he voted, but had experienced ſeverity ſince.

John Wallace proved ſervice on Patt. Donoghue.

James Tully was produced to diſqualify William Higgins, who appeared to be entered No. 34, in

the deputy's book, his abode Abbeytown, his freehold Gorteenecolchen, of the value of ten pounds yearly, to have taken the freeholders and popery oaths, and to have voted for Mr. Crofton singly. The witneſs knew William Higgins of Abbeytown, ſix or ſeven years; Higgins had been always a papiſt, he had ſeen him often at maſs, he did not mind the year of the election. He took Higgins's father and mother to be papiſts, but he had never ſeen them at maſs, they were reputed papiſts. He was croſs examined. The witneſs lived two years in Abbeytown, there were a great many people lived in Abbeytown; the witneſs lived now near Ballinger, within two or three miles of French-park; the witneſs did not ſee Higgins vote, he heard it whiſpered about among the neighbours that his vote paſſed; there was no William Higgins in Abbeytown but one. William Higgins had one brother, he did not live in Abbeytown, the whole family were reputed papiſts; the witneſs never had any diſpute with William Higgins, the witneſs had not got any thing for his teſtimony or promiſe.

James Tully was produced to diſqualify Patt. Manion, who appeared to be entered No. 39, in the deputy's book, his abode Abbeytown, his freehold Bullenree, its value ten pounds yearly, to have taken the freeholders and popery oaths, and

to

to have voted for Crofton and Kelly. He knew Patt Manion of Abbeytown; had seen him at mass, more than two or three times before the election. Manion was a taylor, had a house which he had taken from a widow; the witness did not know Manion to have land, and thought he could not have land unknown to him. He was cross examined; Manion might have lands unknown to him; saw him two or three times before the election at mass, and mentioned his knowledge of Manion's religion to Attorney Baker; Manion was married and had children; the witness did not know Manion's wife or childrens religion.

James Dully was produced to disqualify James Golding, who appeared to be entered No. 428, in the sheriff's book, his abode Roscommon, his freehold Ballypheasant, its value ten pounds yearly, and to have voted for Mr. Crofton singly. He knew James Golding of Roscommon, they wrought in the same shop; Golding was then a papist, and went with the witness to mass; he, the witness, did not know Ballypheasant. He was cross examined: They worked together at George Harris's in Abbeytown; he was a breeches-maker; James Golding lived at Roscommon at the last election, he was not at Roscommon but once this year, he was married in Roscommon; Abbeytown

was

was near the barrack of Roscommon; the witness spent a part of the year in Roscommon; Mr. French owed him, the witness, twenty-five thirteens for dressing buckskins, he got eleven and four-pence halfpenny out of it, the rest is due to him; Mr. French did not ask him whether he voted at the election or not; the witness lived with his father, and his father had land, but he, the witness, had no land; he lived three or four miles from French-park.

Michael Cuttle proved service on James Golding.

Richard Cormick was produced to disqualify Joseph Smyth, who appeared to be entered No. 106, his abode Athlone, his freehold to be of the same place, and of the value of ten pounds yearly, to have voted for Mr. Mahon and Mr. Crofton. The witness Smyth of Athlone, and had asked him if he passed for a freeholder at Roscommon, Smyth had told him, the witness, he did. James Smyth had no house in Athlone, he lodges in another man's house; the witness told him, Smyth, it was very improper for him to have voted as he had no freehold, he, Smyth, said it was no matter now it was all over. Smyth kills meat for other people, and is paid for it, every body in the town of Athlone knew he, Smyth, had no freehold in Athlone. He was cross examined;

mined: He never knew Smyth to have had any freehold; the witneſs would have voted for Mr. Croſton if he had been permitted.

The evidence was here ſtopped from ſaying any thing further, as being contrary to the mode of evidence.

John Cuſack proved ſervice on Joſeph Smyth.